

JOURNAL
OF THE
INDIANA STATE SENATE,
OF THE
STATE OF INDIANA,
DURING THE
THIRTY-THIRD SESSION
OF THE
GENERAL ASSEMBLY,
COMMENCING
DECEMBER 4, 1848.

INDIANAPOLIS:
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1849.

JOURNAL
OF THE
SENATE OF INDIANA.

The Thirty-Third Session of the General Assembly of the State of Indiana, begun and held at the Capitol, in the city of Indianapolis, on Monday the fourth day of December, in the year of our Lord, one thousand eight hundred and forty-eight.

The Hon. PARIS C. DUNNING, President of the Senate of the State of Indiana, took the Chair, and directed a call of the Senators whose offices had not become vacated since the last session; whereupon,

The following Senators appeared and took their seats :

*From the counties of Miami and Wabash—Jacob D. Cassatt.
From the county of Ripley—William T. S. Cornett.
From the counties of St. Joseph, Fulton and Marshall—Lot Day.
From the counties of Vigo, Clay and Sullivan—James H. Henry.
From the counties of Daviess and Martin—Aaron Houghton.
From the county of Rush—A. W. Hubbard.
From the counties of Orange and Crawford—David S. Huffstetter.
From the counties of Vanderburgh and Posey—Enoch R. James.
From the county of Lawrence—M. A. Malott.
From the counties of Elkhart and Lagrange—D. Martin.
From the counties of Steuben, DeKalb and Noble—Madison Marsh.
From the county of Franklin—William M. McCarty.
From the county of Dearborn—James P. Millikin.
From the counties of Randolph, Blackford and Jay—Dixon Milligan.
From the counties of Gibson, Pike and Dubois—Smith Miller.
From the county of Washington—John I. Morrison.
From the county of Tippecanoe—Godlove S. Orth.
From the counties of Allen, Adams, and Wells—Franklin P. Randall.
From the county of Decatur—Joseph Robinson.*

From the counties of Greene and Owen—Lovel H. Rousseau.

From the county of Marion—William Stewart.

From the counties of Cass, Howard, and Pulaski—Cyrus Tabor.

From the counties of Hancock and Madison—Thomas D. Walpole.

From the counties of Carrol and Clinton—Philip Waters.

The following Senators, elected since the last session of the General Assembly, appeared and produced their credentials, and having been duly sworn or affirmed as required by the Constitution, by the Hon. Jeremiah Smith, President Judge of the Eleventh Judicial Circuit, severally took their seats, to-wit :

From the counties of Brown and Monroe—Thomas M. Adams.

From the counties of Grant and Delaware—Joseph S. Buckles.

From the counties of Huntington, Kosciusko, and Whitley—Henry Day.

From the counties of Vermillion and Parke—William P. Dole.

From the counties of Scott and Jackson—Elisha G. English.

From the county of Henry—George Evans.

From the counties of Boone, Hamilton, and Tipton—William Garver.

From the counties of Perry, Spencer, and Warrick—Christopher C. Graham.

From the county of Putnam—Ambrose D. Hamrick.

From the county of Johnson—Franklin Hardin.

From the county of Hendricks—Jonathan S. Harvey.

From the county of Jefferson—William Hendricks, jr.

From the counties of Bartholomew and Jennings—William Herrod.

From the counties of Warren, White, Benton, and Jasper—William G. Montgomery.

From the county of Harrison—William A. Porter.

From the county of Shelby—James M. Sleeth.

On motion of Mr. Robinson,

The Senate proceeded to the election of Principal Secretary, Messrs. Robinson and Miller acting as tellers.

The following is the result of the first balloting, to-wit :

Whole number of votes given,	-	-	-	40.
Necessary to a choice,	-	-	-	21.

Charles H. Test received	-	-	-	34 votes.
Scattering	-	-	-	6 votes.

Charles H. Test, having received a majority of all the votes given, was declared duly elected Principal Secretary of the Senate, during the present General Assembly, and having been sworn into office by the Hon. Jeremiah Smith, President Judge of the Eleventh Judicial Circuit, entered upon the discharge of the duties of his office.

On motion by Mr. Randall,

The Senate proceeded to the election of an Assistant Secretary, Messrs. Randall and Walpole acting as tellers.

The following is the result of the first balloting, to-wit :

Whole number of votes given	-	-	-	40.
Necessary to a choice	-	-	-	21.

Perry E. Robinson received	-	-	-	17 votes.
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Frank Emerson received	-	-	-	23 votes.
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Frank Emerson having received a majority of all the votes given, was declared duly elected Assistant Secretary of the Senate, during the present session, and, having been sworn into office by the Hon. Jeremiah Smith, entered upon the discharge of the duties of his office.

On motion by Mr. Stewart,

The Senate proceeded to the election of Door-keeper, Messrs. Stewart and Hamrick acting as tellers.

The first balloting resulted as follows, to-wit :

Whole number of votes given	-	-	-	40.
Necessary to a choice	-	-	-	21.

Charles G. Warner received	-	-	-	22 votes.
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Charles White received	-	-	-	14 votes.
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Scattering,	-	-	-	4 votes.
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Charles G. Warner, having received a majority of all the votes given, was declared duly elected Door-keeper of the Senate during the present session, and having been sworn into office by the Hon. Jeremiah Smith, entered upon the discharge of his duties.

Mr. Henry offered the following resolution :

Resolved, That the Senate will dispense with the election of a Sergeant-at-Arms for the present session.

Which resolution was adopted.

On motion by Mr. Orth,

The Senate adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The Senate assembled.

Mr. Coates, Senator from the county of Fountain, appeared and took his seat.

Mr. Milliken offered the following resolution:

Resolved, That the Secretary of the Senate inform the House of Representatives that the Senate have convened, elected Charles H. Test Principal Secretary, Frank Emerson Assistant Secretary, and Charles G. Warner Door-keeper, and are now ready to proceed to legislative business.

Which resolution was adopted.

On motion by Mr. Miller,

The Senate adjourned until to-morrow morning.

TUESDAY MORNING, DECEMBER 5th, 1848.

The Senate assembled.

The Journal of the preceding day was read.

The following Senators, whose offices had not been vacated, since the last session of the General Assembly, appeared and took their seats, to-wit:

From the county of Montgomery, John Beard.

From the county of Floyd, John S. Davis.

From the counties of Switzerland and Ohio, Martin R. Green.

From the county of Wayne, David P. Holloway.

From the county of Clark, James G. Read.

Mr. Abner T. Ellis, Senator elected from the county of Knox, since the last session of the General Assembly, appeared, produced his credentials, and, having been sworn into office by the Hon. Thomas L. Smith, one of the Supreme Judges of the State of Indiana, took his seat.

Mr. Martin offered the following resolution:

Resolved, That the Senate will, the House concurring therein, go into the election of a President Judge for the Twelfth Judicial Circuit, on this afternoon at two o'clock.

Which resolution was adopted.

On motion by Mr. Millikin,

The previous order of business was suspended, and leave granted him to introduce the following bill:

No. 1. A bill to authorize Robert Rossington to file a bill for a Divorce at the January Special Term, 1849, of the Dearborn Circuit Court.

Which was read a first time and ordered to a second reading.

Mr. Orth asked and obtained leave to introduce the following Joint Resolution:

No. 2. A Joint Resolution relative to the further extension of Slavery.

Which was read a first time, and ordered to a second reading on to-morrow.

Mr. Miller asked and obtained leave to introduce the following bill:

No. 3. A bill to provide for the election of a United States Senator by a viva voce vote.

Which was read a first time, and ordered to a second reading.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That the Clerk inform the Senate that the House of Representatives have met, formed a quorum, elected the Hon. George W. Carr, Speaker, John W. Dodd, Principal Clerk, Isaac Smith, Assistant Clerk, and Samuel J. Johnson, Door-keeper, and are now ready to proceed to legislative business.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That a committee of two be appointed on the part of the House, to act with a similar committee on the part of the Senate, to respectfully request the Rev. T. R. Cressey to attend in the Hall of the House of Representatives to-morrow morning, at 10 o'clock, to address the Throne of Grace by prayer, on behalf of this General Assembly; and that the Senate be requested to reciprocate this resolution, and that seats be provided on the right of the Speaker's chair for their accommodation.

Messrs. Brady and Cox have been appointed on such committee on the part of the House.

Which message of the House was,

On motion by Mr. Hamrick, taken up.

Mr. Hamrick moved to reciprocate the above resolution of the House, appointing a committee to act with a similar committee on the part of the Senate to wait upon the Rev. T. R. Cressey, and invite him to open the present session of the General Assembly with prayer.

Which motion prevailed; whereupon

Messrs. Hamrick and Morrison were appointed said committee on the part of the Senate.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

Mr. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That a committee of two on the part of the House of Representatives be appointed to act with a similar committee on the part of the Senate, to wait on His Excellency, the Governor, and inform him that the two Houses have elected their officers and are now ready to receive any communication he may be pleased to make to them; and to know at what time he will make such communication, and that the Senate be informed of the adoption of this resolution; and that Messrs. Dobson and Dowling have been appointed such committee on the part of the House.

Which,

On motion by Mr. Randall,

Was taken up, and the resolution of the House concurred in by the Senate.

And thereupon,

Messrs. Randall and Harvey were appointed said committee on the part of the Senate.

Mr. Randall offered the following resolution:

Resolved, That the standing rules and orders adopted at the last session for the government of the Senate be, and the same are hereby, adopted for its government during the present session; and the State Printer is hereby ordered to print one hundred copies of the same for the use of the Senate.

Which resolution was adopted.

Mr. Coates offered the following resolution:

Resolved, That the Doorkeeper of the Senate be authorized to furnish each member of the Senate with a copy of the Revised Statutes of 1843, a copy of the Laws of the last session of the Legislature, and a copy of the Journal of the last session of the Senate, from the State Library, and return the same at the adjournment of the present session.

Which resolution was adopted.

Mr. Miller presented the petition of Patsey C. Paden, praying for the passage of an act to authorize her to sell certain real estate.

Which was read; and,

On motion by Mr. Miller,

Was referred to a select committee consisting of Messrs. Miller, Ellis, Graham, McCarty, and Morrison.

On motion by Mr. Millikin,

The previous order of business was suspended, and the following bill of the Senate was taken from the files:

No. 1. A bill to authorize Robert Rossington to file a bill for a divorce at the January Special Term, 1849, of the Dearborn Circuit Court.

On motion by Mr. Millikin,

The rules were suspended, and the bill read a second time and ordered to be engrossed for a third reading.

Mr. Holloway asked and obtained leave to introduce the following bill:

No. 4. A bill to incorporate the Richmond and Newport Turnpike Company;

Which was read a first time, and ordered to a second reading on to-morrow.

Mr. Stewart, on leave, introduced the following bill:

No. 5. A bill to exempt a homestead from forced sale in certain cases;

Which was read a first time, and ordered to a second reading on to-morrow.

On motion by Mr. Millikin,

The previous order of business was suspended, and the following bill of the Senate was taken from the files:

No. 1. A bill to authorize Robert Rossington to file a bill for a divorce at the January Special Term, 1849, of the Dearborn Circuit Court.

On motion by Mr. Millikin,

The rules were suspended, and the bill read a third time.

The question being on the passage of the bill,

Messrs. Orth and Beard demanded the ayes and noes, which were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Day of Kosciusko, Day of St.

Joseph, English, Garver, Graham, Green, Hardin, Hendricks, Henry, Houghton, Hubbard, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Miller, Montgomery, Randall, Read, Rousseau, Sleeth, Taber, Walpole, and Waters—30.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Cornett, Davis, Dole, Ellis, Evans, Hamrick, Harvey, Herod, Holloway, Huffstetter, Morrison, Orth, and Porter—15.

So the bill passed.

The following message was received from the House of Representatives, by Mr. Harlan, a Representative from Grant:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have concurred in the resolution of the Senate, providing for the election of a President Judge, for the Twelfth Judicial Circuit in the State of Indiana.

Mr. Ellis moved,

That the Senate adjourn until two o'clock, P. M. ;

Which motion did not prevail.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution :

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives instanter, for the purpose of opening the present session of the General Assembly with prayer, and that seats be provided on the right of the Speaker's Chair ;

Whereupon the Senate repaired in a body, to the Hall of the House of Representatives, and after hearing the prayer of the Rev. Mr. Cressey returned to their chamber.

On motion of Mr. Miller,

The Senate adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The Senate met,

The President laid before the Senate, the following communication from His Excellency the Governor :

EXECUTIVE DEPARTMENT,)
December 5, 1848. }

TO THE SENATE :

Gentlemen.—Andrew J. Carr, Esqr., of Clark county, is hereby authorized to bear Executive communications from the undersigned to the Senate during the present session.

JAMES WHITCOMB.

Mr. Coates offered the following resolution,

Resolved, That when the Senate adjourns it will adjourn until two o'clock, P. M., to-morrow ;

Which resolution was adopted.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have adopted the following resolution :

Resolved, That the Senate be invited to attend instanter in the Hall of the House of Representatives, for the purpose of electing a President Judge for the Twelfth Judicial Circuit of the State of Indiana—and that seats be provided for them on the right of the Speaker's Chair.

The Senate then repaired to the Hall of the House of Representatives to proceed to the election of a President Judge of the Twelfth Judicial Circuit.

The joint convention of the two House of the General Assembly of the State of Indiana, then proceeded to ballot for a President Judge for the Twelfth Judicial Circuit, Messrs. Adams and Hendricks acting as tellers on the part of the Senate, and Messrs. Ford and Dowling on the part of the House of Representatives, when ;
On counting the first ballot, it appeared that,

James W. Borden received	- - - -	92 votes.
John B. Howe received	- - - -	45 votes.

J. Breckenridge received - - - - - 2 votes.
Blank - - - - - 2 votes.

James W. Borden having received a majority of all the votes given, was declared duly elected President Judge of the Twelfth Judicial Circuit, for the term of seven years from and after the expiration of the term of the present incumbent.

The President of the convention then pronounced the same adjourned, *sine die*.

The Senate then returned to their chamber, when

The following message was received from the House of Representatives, by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, go into the election of Secretary of State on Friday, the 8th instant, at 10 o'clock, A. M.

Which message was taken up, when

Mr. Read moved to concur in the resolution of the House, with the following amendment:

Strike out "Friday, the 8th," and insert "Monday, the 11th."

Mr. Walpole moved to amend the amendment by striking out "Monday, the 11th," and inserting "this day, at four o'clock, P. M."

The question being on the adoption of the amendment of Mr. Walpole to the amendment of Mr. Read, it was not adopted.

The question then recurring on the adoption of the amendment of Mr. Read to the resolution of the House; and it was adopted.

The resolution as amended was then concurred in, without discussion.

The following message was received from the House of Representatives, by their clerk.

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House have adopted the following resolution:

Resolved, That this House will, the Senate concurring therein, go into the election of Warden to the Indiana State Prison, on Thursday, the 7th instant, at 10 o'clock, A. M.

Which on motion was taken up; when

Mr. Read moved the following amendment to the resolution of the House:

Amend by striking out "Thursday, the 7th," and inserting "Saturday, the 9th."

Which amendment was adopted; and,

The resolution, as amended, was concurred in by the Senate.

Mr. Garver offered the following resolution:

Resolved, That the Senate will, the House concurring therein, proceed to the election of President of the State Bank of Indiana, on Thursday, the seventh instant, at two o'clock, P. M.;

Which resolution was not adopted.

Mr. Randall asked and obtained leave to make the following report:

MR. PRESIDENT:

The joint committee, consisting of two Senators and two members of the House of Representatives appointed to wait on His Excellency, the Governor, and to inform him that the two Houses of the General Assembly are duly organized and ready to receive any communication he may be pleased to make them, have directed me to report to the Senate, that in discharge of the duty assigned them, they waited on His Excellency, and were informed by him that he will be ready to make his annual communication to-morrow at half past two o'clock, P. M.

The President laid before the Senate the following communication and accompanying report:

INDIANAPOLIS, Dec. 5, 1848.

To the President of the Senate:

DEAR SIR:—The Trustees of the Indiana Assylum for the Education of the Deaf and Dumb have the honor of laying before you their fifth annual Report, and of informing you that copies of this Report will be laid to-morrow upon the desk of each member of the honorable Body over whom you preside.

Yours respectfully, on behalf of the Board of Trustees,

PHINEAS D. GURLEY,

President of the Board.

On motion,

Said report was laid on the table, and five hundred copies thereof ordered to be printed for the use of the Senate.

Mr. Morrison asked and obtained leave to introduce the following bill:

Bill No. 6. A bill to exempt the county of Washington from the force and operation of the sixty first section of the act entitled "An act to provide for the continuation of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvements, and the officer of fund commissioner and chief engineer." Approved January 28, 1842;

Which was read a first time and ordered to a second reading on to-morrow.

On motion,

The Senate adjourned until to-morrow at 2 o'clock, P. M.

WEDNESDAY, 2 o'clock P. M., DEC. 6, 1848.

The Senate met pursuant to adjournment.

The Journal of the preceding day was read.

The following Senators appeared and took their seats, to-wit:

From the county of Morgan—Alexander B. Conduit.

From the county of Laporte—Andrew L. Osborn.

The following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved. That the Senate be invited to attend in the Hall of the House of Representatives *instantly*; to hear His Excellency, the Governor's annual Message, and that seats be provided for their accommodation on the right of the Speaker's Chair.

The Senate then proceeded to the House of Representatives, when the following communication was made to the two Houses, by His Excellency, the Governor:

*Gentlemen of the Senate and of the
House of Representatives:*

The annual retrospect of the affairs of our State, has at no former meeting of the General Assembly, exhibited more substantial cause for congratulation, than it does at present. While thousands

have been smitten by pestilence in the Old World, we have never been favored with a greater degree of general health, than during the past year. While famine has visited some of its fairest portions, and scattered destitution and death in its progress, the products of our fields have never surpassed, if they have ever equalled, in amount, those of the same period. While capital *there* has continued its sure and constant encroachments upon the rights of labor, *here* has been a visible and steady increase of employment, and of its merited rewards. While pecuniary distress and bankruptcy have *there* crippled or destroyed thousands of apparently the best established houses, *here* has been witnessed a steady and extensive growth of sound and prudent enterprise, and of individual wealth and credit. *There* we behold man struggling with doubtful, or varied success, to recover his rights—the foundation of society heaving with commotion—the skill of the Statesman baffled—fields reddened with civil war, and the oldest governments tottering to their fall. *Here* we find that the structure of our simple and sublime institutions, based as they are in the affections, identified with the interests, and sustained by the will of a free and intelligent people, grows, as we trust, stronger and stronger with age. We have been blessed with good order and domestic quiet—with the protection of mild and wholesome laws—with the preservation of our rights and privileges, both civil and religious, and finally, with the welcome exchange of the evils of war for the smiles of peace.

For these, and numberless other blessings, with which we have been so signally distinguished, among the nations of the earth, we owe to Almighty God, in whose hands are the destinies of nations, our reverent acknowledgments and hearty thanks.

The general prosperity existing at the delivery of my last annual message is believed not to have retrograded in any part of the Union, while the great agricultural interest of the country, constituting the bulk of its wealth, and comprising almost the entire means of Indiana, has continued surely and steadily to advance. So great an increase of the National wealth, derived from its legitimate sources, production and trade, under the adverse influences of war, is believed to be an anomaly in the history of nations.

Time has only served, indeed, to add strength to the conviction expressed in the message referred to, that our growing welfare is under Divine Providence mainly attributable to the wise change in the commercial and financial policy of the country within the last few years. And should that policy be suffered to continue, no doubt is entertained that the experience of the future will continue yet more and more to ratify the decisions of the past in favor of its wisdom, its justice, and its humanity.

The insecurity of property, happiness, and life, occasioned by the recent commotions in Europe, is adding at an increasing rate, by immigration and capital, to our own growing wealth and population. To those thus seeking a shelter among us, it is alike the dic-

tate of sound policy and humanity to afford a home, and an ample scope for their industry and enterprise.

The desired opportunity for this is afforded in our surplus lands, and in the large addition to our territory acquired by the late treaty with Mexico; which from the causes alluded to, is, in my judgment, destined, under Providence, to be the abode of civilization and wealth at a much earlier period than has been generally supposed. Looking to the rapid growth of our present population, and the vast spread of our settlements, during the brief period of our National existence, during a period too when the causes referred to were far less operative than they now are, and when our unrivalled government itself was regarded but as an experiment, and this opinion will not, I trust, be regarded as visionary.

The acquisition of this territory has given rise to a question now occupying too large a space in the public mind to be passed over in silence. Its division into separate Governments, and the establishment of the necessary organic laws, must occupy the early attention of Congress, and the question is, shall this territory hereafter be free or slave territory.

Decided as the opinion of the people of Indiana is, against the institution of human slavery, yet, they have ever manifested a determination not to interfere with the constitutional rights of any of our sister States on this subject. They love that glorious Union which was framed by the Conscript Fathers of the earlier days of the Republic, and to which under Providence we are indebted for our present eminence among the nations of the earth. But the present question does not regard slavery in the States or in any State. It refers solely to the propriety of its existence hereafter, in a territory now free. This territory has come to us free—it is now free, and in my opinion it should remain free, and that every constitutional and legal means should be adopted to continue it free. Nor do I think our Southern brethren would, in that case, have any well founded cause of complaint. Florida was ceded to the United States as slave territory, and so it was suffered to remain, and the same remarks will apply to the acquisition of Texas.

The ordinary expenses of the State Government, for the fiscal year ending on the 31st of October last were \$79,273.98.

The ordinary expenses for the current fiscal year ending on the 31st of October next are estimated by the Auditor at \$72,000.

The number of polls returned for 1848, estimating those in the county of Spencer (from which alone no returns have been received) the same as last year, is 136,265, this is an increase over the number of 1847 of 6,194, while the increase of 1847 over 1846 was only 2,762. The value of the entire property subject to taxation, as returned for 1848 (estimating in like manner and for the same reason for Spencer county) is \$128,960,986, being an increase over last year of \$4,350,545 while the increase of last year over 1846 was only \$1,908,506.

The amount of revenue paid into the State Treasury during the last year including a portion of the previous arrearages is \$412,748.74, being \$50,401.67, more than was paid in during the previous year.

The assessment for 1848 is for State purposes \$488,627.44 and for county, township, road and school purposes collectively, \$586,362.53. Add to these sums the uncollected delinquencies of former years, \$135,795.25 and the total amount of the duplicates for 1848 is \$1,210,785.22.

The rate of delinquency in the collection of the taxes assessed for 1847 is but \$14.75 on the \$100, while that on the assessment of 1846 was \$17 on the \$100. It thus appears that our fiscal affairs, as far as regards the present and prospective increase of revenue, are in a prosperous condition. This is paid by the people. Whether this condition of the Treasury will continue to be what it now is—a subject of just congratulation—must depend on the manner in which the money is expended; that is done by the Legislature.—Justice requires that we should be governed by as scrupulous a regard to economy in appropriating the money of the people as in disbursing our own. To this should be added the motive of *honor*, as we are the exclusive guardians of the funds of the absent and confiding, and of gratitude to those to whom we are indebted for honors conferred.

This proposition is too obvious not to be generally admitted, and but little reflection is required to satisfy us that the same motives are equally applicable to questions of granting or disposing of public property, or of conferring special privileges or sectional advantages, the effect of which is to benefit a few at the expense of the many. Every citizen is entitled to all the advantages and immunities which are not inconsistent with the rights of others, and no more. The same remark will apply to towns and counties and other localities. The sentiment is much applauded, that in our intercourse with foreign nations “we should ask nothing that is not right, and submit to nothing that is clearly wrong.” If that is a laudable rule, as applicable to independent nations, how much more obligatory between different sections or counties of the same State, inhabited by a kindred race, bearing the same burdens and having the same destiny. If undue advantages are obtained, of a sectional character, it affords to other quarters a plea for similar benefits. If these are refused it gives occasion for complaint, and if every part of the State is equally benefitted the burdens of all are equally increased, and each is at last left in the same condition as though its advantages had been separately purchased without the interference of the Legislature.

As the time for paying the semi-annual interest, on the State debt on the 1st of July last approached, there was not in the treasury as had been foreseen, the full amount necessary, for that purpose. Under a provision in the State debt bill it was competent for the State in that case to issue certificates bearing six per cent.

interest, for the amount of the deficiency, to the public creditors severally, in proportion to their respective shares. When this provision was inserted in the bill it was apprehended, that so large an amount of treasury notes might in some years be received for taxes, as not to supply money enough to pay current expenses and the State debt interest, and that the credit of the State might continue too low to enable her to borrow the deficit, and thus prevent the payment of the interest with cash. The greater part of it needed last July, was already in the treasury. Whether certificates were issued or money borrowed, to supply the balance, interest would in either case and to the same amount accrue against the State, and exchange would also have to be procured to meet certificates thereafter due, as well as to forward funds in hand. But by paying the interest down, the additional expense and labor of issuing certificates would be avoided. As a mere measure of economy therefore, the latter was the preferable course. But when it was further considered, that (although authorized by the bill) the certificates issued would travel further or faster than the necessary explanation, and might so far affect the faith of the State as to diminish if it did not entirely prevent the surrendering of the remaining bonds under the new arrangement, the course indicated seemed too plain to admit of hesitation. The requisite amount was accordingly borrowed of the Sinking Fund and of several of the branches of the State Bank to be repaid on the 1st of January next from the newly collected revenue.

From motives of economy and sound policy it is designed to make up the deficiency, which may be found to exist in the treasury on the 1st of January and 1st of July next respectively, in the same manner, that is to say, by making a loan in anticipation of the subsequent receipts; and the course adopted has been thus fully explained, in order that if it should not be favored, the legislative will, may at any time be expressed for the future guidance of the proper functionaries; this course has been the more readily pursued, because a great aversion was felt to increase the funded debt of the State, by issuing more certificates, and because it is confidently believed that by the third, certainly by the fourth payment of half yearly interest, all arrears will be overtaken. For according to the estimate of the Auditor who gives the details after making all the ordinary expenditures during the current fiscal year, and after redeeming the estimated amount of \$100,000 of treasury notes, principal and interest there will be left applicable to the payment of the interest on the public debt \$206,000 00, from which deduct the loan for the interest of July, 1848, \$40,000

Also the probable sum needed to pay the interest and exchange for January, 1849, \$95,000

And the same amount for July, 1849, 95,000 equal to \$230,000.— This would leave a deficit next July of only \$24,000. This small balance, it is safe to presume, would be overcome by the increased receipts into the Treasury by the 1st of January following. But as

the revenue is not actually payable until the latter part of the winter, it is calculated that such would be the result by the 1st of July, 1850, beyond a doubt.

In this calculation, however, it must be borne in mind that no estimate is made for grants of money from the Treasury, to individuals, or other unusual appropriations of which there has been a marked increase, within the last two years. Two bills of this character were passed at the last session, on the face of which, the amount claimed did not appear; that was left to be determined by commissioners to be appointed for that purpose, thus virtually permitting a suit to be brought against the State. The commissioners in one of those cases, having decided in favor of the claimants, they, after an appeal was taken on the part of the State, took one themselves, to a court holding an earlier session, which taking jurisdiction of the cause upon the appeal, gave judgment against the State for \$13,493 36. In pronouncing the judgment, the court laid stress on what it regarded as an admission made on the part of the State, by the Legislature, in the preamble of the bill, against her own interests, and which it is believed could not have been established by evidence in the absence of such admission. Application was immediately made to the Auditor, by the claimants, for a warrant on the Treasury for the full amount of the judgment, but the counsel employed on the part of the State, under instructions which I felt it my duty to give, have removed the cause to the Supreme court, where it is now pending for final decision. Although commissioners were appointed under the other bill, yet no proceedings by them have as yet been had.

If the amount claimed under that bill should be allowed, it will exceed \$20,000. This, with the judgment already rendered, if the same should be ultimately sustained, will amount to nearly one half of the ordinary expenses of the State, as estimated by the Auditor, for the last year. My objections to the passage of both these bills, communicated according to the forms of the constitution, are to be found on the journals of last session, and this reference to the subject is now made, therefore, mainly for the purpose of recommending, that, inasmuch as all such grants of money from the treasury must inevitably, sooner or later, cause an increase of taxes to pay them, such increase should be imposed by the Legislature which grants the money, and at the same session at which it is granted. This would have the effect of making the members of each session responsible in appearance as they are in reality, for the increased taxes occasioned by such grants; of inspiring caution, and of enabling the Auditor and Treasurer to rely on their estimates to meet indispensable engagements, and of sustaining the public faith. The non-observance of this rule has heretofore been the source of most of the evils, of a financial character, which has weighed down the energies of our young State. Millions were expended, sown broad-cast by former Legislatures, leaving to their successors the odious duty of imposing the taxes thus occasioned, and to the peo-

ple the unmitigated burden of paying them. Had the ability of the State for the proposed enterprise been tested, by the expenditure of no more money upon it than could, from time to time, be realized in advance, from actual taxation, the experiment must necessarily have soon been abandoned, with but comparatively trifling expense, and no lasting injury would have remained.

Recovering as we now are from the evils of a contrary policy, it is surely but reasonable to hope that we may profit by experience, and avoid every occasion of increasing the public debt upon those who are to follow us. On the contrary I am clearly of the opinion that it is the true policy of the State, at the earliest period at which she is able, to create a surplus in the treasury, however small it may be, and make it applicable to the redemption of the funded debt, and thus afford the gratifying assurance that our liabilities are every year becoming less, and that at no distant period they will be entirely extinguished. A handsome overplus might be secured for this object, without any increase of the rate of taxation, by merely so improving our revenue system, as to place on the assessment rolls that large amount of invisible wealth, consisting of stocks, cash at interest, and various kinds of personal property which, by escaping assessment under the present law, leaves on the farming community whose lands cannot escape notice, a more than due share of the public burdens. The exemption of a part from taxation is a fraud upon the residue. The object can be sufficiently, if not better attained by imposing a pecuniary penalty on such as withhold property from taxation, than by administering oaths which expose to temptation and crime, and which already, by their frequency of requirement, are but too well calculated to diminish if not destroy all regard for their nature and obligation. Let the penalty proposed be in proportion to the amount of taxables withheld from assessment, and sufficient to justify a summary proceeding for its recovery. The subject in some of its aspects was referred to more in detail in my last annual message, to which you are respectfully referred. It is one of much importance, and is urgently recommended to your early and favorable consideration, in the hope that the present session may not close without the needed action on your part.

It is with unfeigned reluctance that another topic is approached; that of the growing amount of our legislation, and especially of our local and private legislation. Having given my views in regard to this subject in my first inaugural address, having again called attention to it in my annual message in December, 1845, and having repeated it at every session since, it would certainly not be again presented, were it not for a deep conviction of duty, arising from the constant, regular, and rapid growth of the evil. This will be manifest from a comparison of the number of large octavo pages of printed matter occupied by the general laws, as distinguished from those of a merely local or private character, passed at the last five sessions of the Legislature. The number of pages of general laws passed at those sessions respectively, commencing with that

of 1843-4 are consecutively, 122, 92, 135, 164, and 125, while the pages of a local or private character are, 180, 301, 365, 431, and 636 respectively.

Thus while the amount of our general legislation has for the last five years remained nearly stationary, that of local and private character has, within the same period, advanced more than three hundred and fifty per cent. The bills and joint resolutions, passed at the last session, were over six hundred in number, averaging more than four bills to each member, and more than thirteen for each working day of the session. Besides these were the numerous bills which were introduced, but failed of passage for want of time, or other causes. This immense mass of legislation is not only calculated to lengthen the session—to increase the labor of the members—to interfere unjustly with the rights of absent individuals, and to render the law complex and uncertain, but it serves by occupying the mind and distracting the attention, to hazard the passage of dangerous measures of a general character. And if the proper examination of thirteen bills every day for six or seven weeks successively is an unreasonable task for the mind of the legislator, what shall be said of the condition of the Governor who is expected to personally examine all of them before signing; and when the far greater portion of them linger in their passage, until but a few days are left towards the close of the session within which to perform the accumulated labor? But the condition of the citizen, he for whom all this is done, is far worse. He is responsible for his presumed knowledge of the law, and to acquire that knowledge in reality he is compelled to search for it in a wilderness of enactments, and to turn over a new and larger volume every year, fraught with repeal, with change, and with burdensome additions.

For the last five years, the amount of legislation of each session has exceeded that of the previous one, at about the same rate, until the local and general laws passed at the last session have grown into an unwieldy volume of *seven hundred and sixty-one pages*.

What is the remedy for this growing evil?

But little reflection is required to satisfy us that it will continue to increase until a remedy is applied. In my last annual message, occasion was taken to recommend the passage of general laws, under which more appropriate tribunals should be clothed with the necessary powers to afford the relief now sought for by means of most private and local statutes. This is perhaps the only reliable remedy of which the evil is susceptible. It is not intended to deny the expediency of having a diversity of *subordinate* regulations, varied by the interests, habits, and wishes of different parts of the State. We already have an illustration of that diversity, exhibited in the by-laws and ordinances of different towns and cities, and in the buildings, taxes, and other matters of internal economy, of the different counties. It is only contended that the outlines, or general statutes, under which such diversity may exist, should, like that

under which the counties now exercise their discretionary powers, be general and uniform. But while it is very desirable that the Legislature should pass such general laws, yet the most thorough conviction is felt that the remedy can only be ensured by an amendment of the constitution, expressly prohibiting the action of the General Assembly on specified subjects of a local and private character, and making it the duty of that department to confer from time to time upon county boards, or other subordinate functionaries, the requisite powers.

The value of the remedy proposed, derives confirmation from the fact that a provision of a similar kind was engrafted in the Constitution of New York, at the time of its amendment in 1846.

If calling a Convention to amend the Constitution were productive of no other result, than furnishing an effectual remedy for this growing evil, it would be abundantly justified. But in addition to that, there is a growing desire, that the sessions of the Legislature should, as in some other States, be held not oftener than once in every two years, unless specially convened in cases of emergency.

Such a feature, in our State Constitution, would lessen the expenses of Legislation nearly one-half, and thus save the expenses of the Convention itself, within the first two years; and it would afford a better opportunity to the people of knowing what the laws are, before they are modified or repealed.

It is also to be desired that the Constitution should be so amended, as to prohibit the creation of any public debt, except under restrictions as to amount, and object. Years of prosperity may cause the severe lesson we have been taught on this subject to be forgotten, and we can not too strongly guard against a recurrence of similar improvidence.

Akin to this, in principle and policy, would be an amendment requiring, for the passage of every bill granting money from the Treasury, or public property to individuals, a majority of two-thirds, in each house, of all the members elected. In that case, a claimant would still be left in a better position for success before the Legislature, than before a jury of his countrymen, where a unanimous verdict is required, besides the burden of sustaining his claim by legal proof.

Such a feature is found in the Constitution of the State, already referred to, and it may be safely affirmed that a claim that will not commend itself to the approval of two-thirds of the representatives of the people should not be allowed.

But although an amendment of the constitution, on these and some subordinate points, is regarded as highly promotive of the public good, yet I think no convention for that purpose should be called unless first authorized by a direct vote of the people.

The opinion has been expressed that by the eighth article of the present constitution, the people have no right to vote upon this question, except in every twelfth year thereafter. But it seems now to be generally admitted that that article is directory and not permissive.

In framing the constitution, it was doubtless borne in mind that the future condition of the State might require corresponding modifications of that instrument. But by securing to the people the privilege of voting upon the question every twelfth year, their power to exercise that right in any other year for which their representatives should make suitable provision, was not taken away. If it was taken away, it was competent, by lengthening the interval for the vote to any imaginable extent, to virtually bind posterity in all future time and prevent any amendment whatever.

The present time is believed to be propitious for moving in this question. We have just left behind us the excitement of a national election. If the vote directed to be taken at the election next August, should be in favor of a convention, the duty would devolve upon the Legislature at the next session, (that of 1849-50,) to provide by law, for the election of delegates at the following general election. The convention might be held during the following autumn, and the people would then have the opportunity of ratifying or rejecting the amendment at the August election, in 1851. Thus the whole question would be disposed of before the Presidential election of 1852, which would not be the case, if the initiative should not be taken during the present session. It is difficult to find a citizen who is not in favor of some amendments to the constitution, and the only, or nearly the only opposition to the measure, is the fear that others would be made more than counterbalancing the advantage. But in no instance has the constitution of any other State been amended, (and the instances have already been many,) in which it is not almost universally regarded as an improvement, and it can hardly be supposed that Indiana would be an exception.

It is therefore respectfully recommended that provision be made at the present session for submitting this question, to the decision of the people at the general election, in August next. This question it will be borne in mind, was voted upon at the election of 1846, and the returns made to the Secretary of State showed that 32,521 votes were cast for, and 27,485 votes were cast against it, being a majority of 5,036 in favor of calling a convention. The vote was small, but if it indicated any thing, it was that the popular will favored the measure.

The next Legislature, however, declined, and perhaps properly so, to provide by law for calling a convention, and mainly, it is presumed, because the vote was far from being a full one, being less than one half of that cast for officers at the same election, and because no returns whatever were made from thirteen counties. My information since that time leaves a strong conviction on my mind, that a large majority of the people are now in favor of the measure.

The official business of the Quarter Master General, since his last annual report, has not been of such a character, in his opinion, as would require a special communication at this time. That of

the Adjutant General is herewith submitted, and will doubtless receive from you the requisite consideration.

The Hospital for the Insane is at length in successful operation, under the charge of a skilful and humane superintendent, Dr. R. J. Patterson, late of the Lunatic Hospital of the State of Ohio.

The edifice has been so far completed as to furnish accommodation for about fifty patients, but as more than that number have already applied for admission, the Superintendent has been under the painful necessity of refusing some for want of room. When completed, the institution will hold in all about two hundred patients. The buildings so far have cost about \$50,000, and it will require about \$14,000 more to complete them. As they will then accommodate four times the present number of patients, and as the chances for recovery are far greater in the early than in the latter stages of insanity, motives of sound economy as well as of humanity, concur in urging the speedy completion of the work.

The Institute for the Blind has been in operation only since the first of October, 1847, and has up to this time received thirty-one pupils, being a larger number, it is understood, than have ever been received within the same period after its commencement, by any similar Institution in the Union, although located in far more populous States. Besides instructing the pupils in their appropriate studies, a part of the system consists in teaching them useful occupations; thus preventing their becoming a burden to society, and affording them the means of enjoying that health and happiness which is to a greater or less extent denied to those who spend their lives in inaction. Finding themselves unable longer to procure rooms of suitable dimensions and construction, the Board proceeded to erect upon the grounds belonging to the Institute, such part of the permanent buildings as will answer for a few years, and until their means will justify their completion. By this means the Board are already able to accommodate a much larger number than formerly, as well as in a better manner.

The Institution for the education of Deaf Mutes, continues to improve in usefulness. It already numbers ninety-two pupils, being an increase of twelve since the last annual report, and constituting a larger number in proportion to the entire population than is found in the like establishment of any other State in the Union. The history of charitable institutions generally, and especially when sustained at the public expense will show, it is apprehended a tendency (certainly not a necessary one) to unnecessary expenditure; and this indicates the quarter towards which supervision should be mainly directed. Experience teaches us that it is much easier to multiply subordinate employments and to originate other modes of extravagance in such establishments, than to lop them off when found unnecessary. It is therefore the more gratifying to be able to state, from information derived from the present Superintendent, that a commendable reduction has been made in the expenses in the Steward's department of this Institution, to the ex-

tent of four hundred dollars per month, as compared with similar expenses previous to the 12th of April last, when the office of Steward was abolished, and its duties cast upon the Superintendent. Notwithstanding a large and commodious edifice for the accommodation of the pupils, is now in course of construction, yet in consequence of this saving, it is understood, that it will not be necessary to increase the present rate of taxation for that object.

It may be remarked, in conclusion, that with the increase prosperity of the State, are multiplied the inducements to deviate from that system of rigid economy, and prudent foresight, without which, we can not hope for its continuance; and it is trusted, that we shall be fully impressed with the necessity of its observance as promotive of the interest and happiness of those who have honored us with their confidence.

JAMES WHITCOMB.

December 6th, 1848.

The Senate then returned to their chamber, when, Mr. Hardin offered the following resolution:

Resolved, That Reporters for newspapers be allowed seats within the bar of the Senate to report its proceedings.

Which was adopted.

Mr. Millikin offered the following resolution:

Resolved, That the Doorkeeper of the Senate be authorized to contract with the publishers of the Indiana State Sentinel for two copies of their Tri-Weekly paper; and with the publisher of the Indiana State Journal for two copies of his Daily paper for each member of the Senate during the present session.

Mr. Marsh offered the following amendment:

Amend by inserting after the word "paper," in seventh line, the words "and with the publishers of the Locomotive for two copies of their Weekly paper."

Which amendment was adopted by consent.

Mr. Hardin offered the following amendment:

Strike out from the resolving clause and insert the following—

"That the several members of the Senate may contract for any newspaper, or newspapers, published in the City of Indianapolis, at the expense of the State, to the value of three dollars each."

Which amendment was rejected.

Mr. Stewart offered the following amendment:

Amend by striking out "two" wherever it occurs, and insert in lieu thereof the word "three."

Which was adopted.

Mr. Miller moved to lay the resolution, as amended, on the table.

The question being on the motion by Mr. Miller to lay the resolution as amended on the table, and

The ayes and noes being demanded by two Senators, were ordered :

Those who voted in the affirmative are :

Messrs. Beard, Buckles, Cassatt, Cornett, Evans, Graham, Hardin, Harvey, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Miller, Montgomery, Osborn, Sleeth, and Taber—20.

Those who voted in the negative are :

Messrs. Adams, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Garver, Green, Hamrick, Hendricks, Henry, Herod, Holloway, Houghton, Marsh, Millikin, Milligan, Morrison, Orth, Porter, Randall, Read, Robinson, Stewart, Walpole, and Waters—28.

So the resolution was not laid on the table.

The question then recurring on the adoption of the resolution as amended, and, on a division of the Senate,

It was adopted.

The following message was received from His Excellency, the Governor, by Andrew J. Carr, Esq., his private Secretary :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that a bill, No. 217, entitled "an Act to incorporate the Wayne County Turnpike Company," was not presented to him until on the day before that of the final adjournment of the last session, and not then having the requisite time to make the necessary examination in consequence of the large number of bills then occupying his attention, he did, on this day, approve and sign the same.

Also, the following message was received from His Excellency, the Governor, by A. J. Carr, Esq., his private Secretary :

MR. PRESIDENT :

I am directed by His Excellency, the Governor, to return to the Senate, where the same originated, the following enrolled bills, passed at the last session of the General Assembly of the State of Indiana, with his objections to the passage of the same, to-wit :

No. 215. An act in relation to the dam and water power on the Central Canal in Morgan county ;

No. 333. An act for the relief of the heirs of Ezra Smith, deceased ;

No. 207. An act to incorporate the Wild Cat Turnpike Company ;

No. 251. An act to incorporate the Fort Wayne and Southern Railroad Company ;

No. 323. An act in relation to the Ohio and Indianapolis Railroad Company.

Mr. Milligan offered the following resolution :

Resolved, That the Senate will, the House concurring therein, proceed to elect a President of the State Bank, on to-morrow at 2 o'clock, P. M.

Which resolution was adopted.

Mr. Cornett offered the following resolution :

Resolved, That one thousand copies of the message of His excellency, the Governor, be printed for the use of the Senate.

Mr. English moved the following amendment :

Amend by striking out "one" and inserting "five."

A division of the question being called for, it was ordered ;

The question being on striking out,

It was decided in the negative.

So the Senate refused to strike out.

The question then recurring on the adoption of the resolution ;

And it was adopted.

The President laid before the Senate the following communication, accompanied by the Annual Report of the Auditor of State :

AUDITOR OF STATE'S OFFICE,
Indianapolis, Dec. 6th, 1848.

HON. PARIS C. DUNNING,

President of the Senate :

SIR :—Please to receive herewith, and lay before the Senate, the Annual Report required by law to be made from this office to the General Assembly, and oblige,

Very respectfully,

Your obedient servant,

D. MAGUIRE,

Auditor of State.

On motion by Mr. Robinson,

The communication and report were laid on the table and five hundred copies thereof, ordered to be printed.

On motion by Mr. Porter,

The previous order of business was suspended and leave granted him to introduce the following bill :

No. 7. A bill to transfer certain cases now pending in the Harrison circuit court, to the probate court of said county ;

Which was read a first time and ordered to a second reading.

On motion by Mr. Porter,

The rules were suspended, and the bill was read a second time and ordered to be engrossed for a third reading.

On motion by Mr. Porter,

The rules were further suspended and the said bill was read a third time and passed.

On leave granted,

Mr. Holloway introduced the following bill :

No. 8. A bill to incorporate the Richmond and Williamsburg Turnpike Company ;

Which was read a first time and passed to a second reading, on to-morrow.

Mr. Evans asked and obtained leave to introduce the following joint resolution :

No. 9. A joint resolution in relation to the further extension of slavery ;

Which was read a first time and passed to a second reading, on to-morrow.

The President laid before the Senate the reports of the Branches of the State Bank of Indiana :

Which,

On motion by Mr. Robinson,

Were severally read and laid upon the table.

Also,

The President laid before the Senate the following communication, with one hundred copies of the Catalogue referred to therein :

INDIANA UNIVERSITY, }
November 30th, 1848, }

TO PARIS C. DUNNING, Esq.,

President of the Senate :

SIR ;—I have caused to be sent to you, for the use of the Senate, over which you preside, one hundred copies of the Annual Catalogue of the Indiana University. This Catalogue is designed in part, to form the Annual Report required of the Board of Trustees, by the last Legislature. A Report more specifically answering the points of enquiry, enumerated in the act of last winter, I will have the honor to submit in a few days.

Very Respectfully,

D. H. MAXWELL,

President of Board of Trustees of Ind. University

On motion by Mr. Cornett,

Ordered, That the said Catalogues be laid upon the tables of the Senators.

Mr. Adams asked and obtained leave to introduce the following bill :

No. 10. A bill to incorporate the Columbus, Nashville, and Bloomington Rail Road Company.

Which was read a first time, and passed to a second reading.

Mr. Milligan asked and obtained leave to introduce the following bill :

No. 11. A bill to authorize the Secretary of State to send additional copies of the laws of the State to the county of Jay.

Which was read a first time, and passed to a second reading on to-morrow.

The following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has adopted the following resolution :

Resolved, That the House will, the Senate concurring therein, go into the election of a United States Senator on Monday, the 11th instant, at 10 o'clock A. M.

On motion by Mr. Millikin,

The message was taken up.

Mr. Martin moved to lay the resolution on the table ;

Which motion did not prevail.

The question being on concurring in the resolution of the House of Representatives,

Mr. Robinson offered the following amendment to said resolution :

Amend by adding the following :

And be it further Resolved, That the members of this General Assembly will not vote for any man for the office of United States Senator, who is not publicly known to be opposed to the further extension of Slavery, into any territory now free.

Mr. McCarty offered the following amendment, to the amendment of Mr. Robinson :

Add the following :

Nor for any man who owns more than two hundred and eighty Slaves, or holds any opinions, either important or necessary.

Which amendment to the amendment was accepted by Mr. Robinson.

Mr. Miller moved to lay the amendment as amended, on the table ; and,

On the question of laying on the table :

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative are.

Messrs. Adams, Buckles, Coats, Cornett, English, Evans, Graham, Green, Hardin; Henry, Houghton, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, Taber, Walpole, and Waters—28.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, Garver, Hamrick, Harvey, Hendricks, Herrod, Holloway, Hubbard, Montgomery, Orth, Osborn, and Robinson—20.

So the amendment of the Senator from Decatur, as amended, was laid on the table.

The question again recurring on concurring in the resolution of the House,

Mr. Walpole offered the following amendment:

Add the following:

And be it further Resolved, That the person that may be so elected, is hereby instructed to use his influence and vote for the insertion, in the organic laws that may be adopted by Congress, for the government of the newly acquired territory to the United States, the provisions of the Sixth Section of the Ordinance of Congress of 1787.

Mr. Miller rose to a point of order,

Which was overruled by the chair; and,

The amendment of the Senator from Hancock declared to be in order, and,

During the pendency of the question upon the adoption of the amendment,

On motion,

The Senate adjourned.

THURSDAY MORNING, DECEMBER 7th, 1848.

The Senate met.

The Journal of the preceding day was read and corrected.

The President laid before the Senate, the following communication from the State Librarian, accompanied by his annual report:

INDIANAPOLIS, Dec. 7, 1848.

HON. PARIS C. DUNNING,

President of the Senate:

SIR:—Requesting that you will lay the accompanying Report before the honorable body over which you preside, I am,

Very respectfully,

Your obedient servant,

JOHN B. DILLON.

On motion by Mr. Ellis,

Said communication and accompanying report were laid on the table, and one hundred copies thereof ordered to be printed, for the use of the Senate.

Mr. Millikin offered the following resolution:

Resolved, That the Senate will, the House concurring therein, go into the election of Bank Director this day, at 2 o'clock P. M.;

Which was adopted.

BILLS INTRODUCED.

Mr. Orth introduced the following bill:

No. 12. A bill to fix the time of holding courts in the First Judicial Circuit, and the Probate Court of Tippecanoe county;

Which was read a first time, and passed to a second reading on to-morrow.

Mr. Milligan introduced the following bill:

No. 13. A bill to authorize the election of township Assessors in the county of Jay;

Which was read a first time, and passed to a second reading.

Mr. Orth introduced the following bill:

No. 14. A bill to amend an act, entitled "an act creating the Tippecanoe court of Common Pleas, and defining its jurisdiction," approved January 18, 1848;

Which was read a first time; and,

On motion by Mr. Orth,

The rules were suspended and the bill read a second time and ordered to be engrossed; and,

On motion by Mr. Orth,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Orth introduced the following bill:

No. 15. A bill to amend an act entitled, "an act to regulate foreign Insurance Agencies," approved February 16, 1848;

Which was read a first time and passed to a second reading.

Mr. McCarty introduced the following bill:

No. 16. A bill to amend the act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company;

Which was read a first time, and passed to a second reading.

The following message was received from the House of Representatives, by Mr Dodd their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has adopted the following resolution:

Resolved, That the House will, the Senate concurring, proceed to the election of a Bank Director on the part of the State, on Tuesday next, at half past 2 o'clock, P. M.;

Which,

On motion by Mr. Millikin,

Was taken up; and,

The resolution of the House laid upon the table,

Also, the following message was received from the House of Representatives, by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has adopted the following resolution:

Resolved, That the clerk be instructed to inform the Senate, that the House has adopted the joint-rules of the last session of the General Assembly, as the joint-rules of the present session, and that the Senate be requested to concur therein;

Which was taken up; and,

On motion by Mr. Orth,

The resolution of the House was concurred in by the Senate.

Also, the following message was received from the House of Representatives, by Mr. Dodd their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has concurred in the amendment of the Senate, to the resolution of the House, providing for the election of a Warden of the State Prison, without amendment.

Also, the following message was received from the House of Representatives, by Mr. Dodd their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, proceed on Friday, the 8th instant, at 10 o'clock, A. M., to the election of a President of the State Bank of Indiana, to fill the vacancy occasioned by the expiration of the term of service of the present incumbent.

Which was taken up; and,

On motion by Mr. Stewart,

The Resolution of the House was concurred in by the Senate.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have concurred in the amendment of the Senate to the resolution of the House, providing for the election of a Secretary of State for the State of Indiana, without amendment.

Also, the following message was received from the House of Representatives, by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof.

No. 4. An act for the relief of Walter Hilt;

In which the concurrence of the Senate is respectfully requested.

Which was taken up, and

The Bill read a first time and passed to a second reading on tomorrow.

On motion,

The consideration of the resolution of the House fixing the time of going into the election of United States Senator, and the pending amendment thereto, which were pending at the last adjournment of the Senate, was resumed; when

Mr. Henry offered the following amendment to the amendment of the Senator from Hancock:

Insert after the figures "1787," the following:

And he is hereby further instructed to use his influence, and vote against any and all attempts to establish a United States Bank.

Mr. Walpole moved to lay the amendment to the amendment on the table.

Mr. Stewart moved to include in the motion to lay upon the table the amendment of the Senator from Hancock to the resolution.

Mr. Walpole called for a division of the question; and

It was ordered.

The question being on laying the amendment to the amendment upon the table; and

The ayes and noes being demanded by two Senators,

They were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Porter, Robinson, Rousseau and Walpole—22

Those who voted in the negative are,

Messrs. Adams, Buckles, Coats, Day of St. Joseph, English, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Miller, Morrison, Osborn, Randall, Read, Sleeth, Stewart, Taber and Waters—27.

So the amendment to the amendment was not laid on the table.

Mr. Harden then called for the previous question; and,

Before the question, on seconding, the call for the previous question was taken.

On motion, by Mr. Beard,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the resolution of the Senate, providing for going into the election of a State Bank Director on this day at 2 o'clock, P. M.

On motion by Mr. Walpole,

Ordered, That the Secretary inform the House of Representatives that the Senate is now ready to proceed to the election of a State Bank Director on the part of the State, in the place of James Sweetser, Esqr., whose term of service is about to expire.

Mr. English moved a call of the Senate;

Which was ordered.

The call having been finished, and all the Senators answering to their names, except the Senator from Fayette,

On motion,

The further call was suspended.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the resolution of the Senate to go into the election of a State Bank Director, instantler, with closed doors.

The Senate then, according to order, proceeded with closed doors to the election of a Director of the State Bank of Indiana, on the part of the State, in the place of James Sweetser, Esq., whose term of service is about to expire;

Messrs. Buckles and Walpole acting as tellers.

Upon counting the first balloting, it appeared that—

James Sweetser received	- - - -	21 votes.
John F. Carr received	- - - -	16 votes.
George W. Lane received	- - - -	7 votes.
William D. Wygant received	- - - -	5 votes.

No gentleman having received a majority of all the votes given, the Senate proceeded to a second balloting;

And on counting the same it appeared that—

James Sweetser received	- - - -	19 votes.
John F. Carr received	- - - -	18 votes.
George W. Lane received	- - - -	6 votes.
William D. Wygant received	- - - -	6 votes.

No gentleman having received a majority of all the votes given, the Senate proceeded to a third balloting.

Mr. Garver withdrew the name of Mr. Wygant.

The third ballot resulted as follows:

James Sweetser received	- - - -	19 votes.
John F. Carr received	- - - -	19 votes.

George W. Lane received	4 votes.
A. M. Holbrook received	5 votes.
Scattering	2 votes.

No person having received a majority of all the votes given, the Senate proceeded to a fourth balloting with the following result:

James Sweetser received	18 votes.
John F. Carr received	17 votes.
George W. Lane received	3 votes.
A. M. Holbrook received	8 votes.
Scattering	3 votes.

No gentleman having received a majority of all the votes given, the Senate proceeded to a fifth balloting.

Mr. Millikin withdrew the name of George W. Lane.

The following is the result of the fifth balloting:

James Sweetser received	16 votes.
John F. Carr received	17 votes.
A. M. Holbrook received	7 votes.
Andrew Davidson received	6 votes.
Scattering	3 votes.

No person having received a majority of all the votes given, the Senate proceeded to a sixth balloting.

Mr. Osborn withdrew the name of Mr. Sweetser.

The sixth balloting resulted as follows:

John F. Carr received	23 votes.
Andrew Davidson received	6 votes.
Walter March received	6 votes.
A. M. Holbrook received	6 votes.
Scattering	8 votes.

No person having received a majority of all the votes given, the Senate proceeded to a seventh balloting.

Mr. Martin withdrew the name of Mr. Holbrook.

Mr. Robinson withdrew the name of Mr. Davidson.

On counting the votes of the seventh balloting, it appeared that—

John F. Carr received	34 votes.
Walter March received	7 votes.
Scattering	7 votes.

John F. Carr, having received a majority of all the votes given, was declared by the President duly elected, on the part of the Senate, a Director of the State Bank of Indiana, on the part of the

State, for the term of four years, from and after the expiration of the term of service of the said James Sweetser.

Ordered, That the Secretary inform the House of Representatives thereof by sealed message.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to deliver to the Senate the accompanying sealed message, relative to the election of a State Bank Director.

Which was taken up; and,

On motion,

The Senate proceeded to open and consider the following sealed message from the House of Representatives:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that at an election for a Director of the State Bank of Indiana, held with closed doors, in pursuance of a resolution of the two Houses, John F. Carr received on the fifth balloting a majority of all the votes given, and was declared duly elected on the part of the House of Representatives, a Director of the State Bank of Indiana, to serve as such for and during the term of four years, from and after the expiration of the term of service of James Sweetser, whose term of service is about to expire.

JOHN W. DODD,
Clerk House of Representatives.

The two Houses having agreed in their choice of a Bank Director, in the place of James Sweetser, Esq., John F. Carr, was declared, by the President, duly elected a Director of the State Bank of Indiana, on the part of the State, to serve as such for the term of four years, from and after the expiration of the term of service of the said James Sweetser, Esq.

On motion, by Mr. McCarty,
The Senate adjourned.

FRIDAY MORNING, DECEMBER 8, 1848.

The Senate met.

The journal of the preceding day was read.

The President announced the following as the order of business to be observed by the Senate, during the present session, unless changed by the Senate :

- I. Reading of the Journal.
- II. Petitions, Memorials, and Remonstrances.
- III. Reports from Standing Committees, as follows, to-wit :
 1. On Elections.
 2. On Finance.
 3. On the Judiciary.
 4. On Federal Relations.
 5. On Education.
 6. On Military Affairs.
 7. On Roads.
 8. On Canals and Internal Improvements.
 9. On the Affairs of the Town of Indianapolis.
 10. On Claims.
 11. On the State Prison.
 12. On the State Library.
 13. On Public Buildings.
 14. On the State Bank.
 15. On Manufactures.
 16. On the Canal Fund.
 17. On Agriculture.
 18. On Corporations.
 19. On Unfinished Business.
 20. On the Benevolent Institutions of the State.
- IV. Reports from Select Committees.
- V. Resolutions of the Senate.
- VI. Joint Resolutions.
- VII. Bills.
- VIII. Orders of the Day.

The committees on enrolled and engrossed bills, and joint committees, are not restricted by the preceding rules, but may report at any time.

On motion by Mr. Stewart,

Ordered, That one hundred copies thereof be printed for the use of the Senate.

The President also laid before the Senate his appointment of the following Standing Committees of the Senate, during the present session :

ON ELECTIONS.

Messrs. Holloway, Hamrick, Coates, Day, of St. Joseph, Simpson, Waters, Conduit, James, and Green.

ON FINANCE.

Messrs. Morrison, Rousseau, English, Porter, Hendricks, James, Ellis, Martin, Buckles, Malott, and Day, of Kosciusko.

ON THE JUDICIARY.

Messrs. Henry, Orth, Herod, Osborn, Randall, Davis, Walpole, Ellis, Harvey, Porter, McCarty, Robinson, Rousseau, Stewart, Sleeth, Hubbard, Hendricks, Buckles, and Garver.

ON FEDERAL RELATIONS.

Messrs. McCarty, Read, Day, of St. Joseph, Evans, Graham, Hardin, Martin, Marsh, Morrison, Orth, Osborn, Walpole, Porter, Montgomery, Hendricks, Dole, and Houghton.

ON EDUCATION.

Messrs. Stewart, Morrison, Walpole, Randall, Montgomery, Cornett, Osborn, Holloway, Coates, Orth, Adams, Porter, Hardin, Marsh, Beard, Hamrick, Miller and Dole.

ON MILITARY AFFAIRS.

Messrs. Rousseau, McCarty, Miller, Cassatt, Adams, English, Huffstetter, and Simpson.

ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Walpole, Miller, Graham, Morrison, Davis, Robinson, Millikin, Holloway, Evans, Herod, Conduit, Houghton, Dole, Beard, Orth, Montgomery, Osborn, Martin, Randall, and Day of Kosciusko.

ON ROADS.

Messrs. Hardin, Beard, Dole, Green, Milligan, Taber, Waters, Malott, Huffstetter, and Day of St. Joseph.

ON THE AFFAIRS OF THE TOWN OF INDIANAPOLIS.

Messrs. Beard, Stewart, Sleeth, Harvey, Simpson, Conduit, and Garver.

ON CLAIMS.

Messrs. English, Robinson, Miller, Huffstetter, Sleeth, Hubbard, and Cassatt.

ON STATE PRISON.

Messrs. Read, Taber, Cassatt, Milligan, Hendricks, Davis, Cornett, and English.

ON UNFINISHED BUSINESS.

Messrs. Harvey, Cassatt, Millikin, Milligan, and Hendricks.

ON STATE LIBRARY.

Messrs. Montgomery, Garver, Cornett, Robinson, and Simpson.

ON PUBLIC BUILDINGS.

Messrs. Millikin, Evans, Tabor, Day of Kosciusko, Conduit, Houghton, and Malott.

ON STATE BANK.

Messrs. Davis, Herod, James, Martin, Taber, Holloway, Marsh, Henry, Ellis, Randall, Cornett, Coats, Hamrick, Graham, Harvey, Rousseau, and Green.

ON MANUFACTURES.

Messrs. Robinson, Porter, Ellis, Henry, Morrison, Hubbard, Buckles, Millikin, Milligan, Read, and Waters.

ON AGRICULTURE.

Messrs. Miller, Read, Dole, Waters, Coates, Adams, Cassatt, Day of Kosciusko, Day of St. Joseph, Huffstetter, James, Evans, Houghton, and Malott.

ON CORPORATIONS.

Messrs. Millikin, Miller, Rousseau, Marsh, Harvey, Herod, Hubbard, Sleeth, Walpole, Green, Graham, Garver, and Hardin.

ON BENEVOLENT INSTITUTIONS OF THE STATE.

Messrs. Cornett, Montgomery, Hardin, Morrison, Orth, Porter, Stewart, Randall, Ellis, Hamrick, and McCarty.

ON ENROLLED BILLS.

Messrs. Hamrick, Adams, Henry, and Sleeth.

ON ENGROSSED BILLS.

Messrs. Adams, Cassatt, and Buckles.

JOINT COMMITTEES.

ON PUBLIC BUILDINGS.

Messrs. Marsh, Huffstetter, Dole, Garver, Conduit, Houghton, and Waters.

ON CANAL FUNDS.

Messrs. Porter, Martin, and Hendricks.

ON STATE LIBRARY.

Messrs. Ellis, Hubbard, and James.

And,

On motion by Mr. Stewart,

Ordered, That one hundred copies thereof be printed for the use of the Senate.

PETITIONS, MEMORIALS, AND REMONSTRANCES.

Mr. Montgomery presented a petition from sundry citizens of Independence, Warren county, praying the passage of an act authorizing Frederic Ritnour to keep a ferry across the Wabash river; which,

On motion by Mr. Montgomery,

Was referred to a select committee consisting of Messrs. Montgomery, Dole, and Henry.

Mr. Taber presented the petition of Emaline Grubb, praying for the passage of an act changing her name to Emaline Elam;

Which was referred to a select committee consisting of Messrs. Taber, Osborn, and Davis.

Mr. Holloway presented the petition of Richard Edwards and others praying the repeal of a certain law vacating streets and alleys in west Richmond;

Which was referred to a select committee consisting of Messrs. Holloway, Hamrick, and Conduit.

JOINT RESOLUTIONS.

Mr. Millikin introduced the following joint resolution:

No. 17. A joint resolution in relation to Slavery in the newly acquired Territories.

Which was read a first time and ordered to a second reading.

Mr. Osborn introduced the following bill:

No. 18. A bill to incorporate the Laporte Iron Manufacturing Company.

Which was read a first time and passed to a second reading.

On motion by Mr. Osborn,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

Mr. Hendricks introduced the following bill:

No. 19. A bill to amend an act entitled "An act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto into one act, and to amend the same," approved February 14, 1848.

Which was read a first time and passed to a second reading.

The following message was received from the House of Representatives, by their Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That this House proceed *instanter*, with closed doors, to the election of a President of the State Bank of Indiana, and that the Senate be requested to concur in this resolution.

Which was taken up; and

The resolution of the House concurred in by the Senate.

The Senate then, according to order, proceeded with closed doors, to the election of a President of the State Bank of Indiana, in the place of the Hon. James Morrison, whose term of office expires during the present session of the General Assembly.

Messrs. Henry and Hamrick acting as tellers.

And upon counting the first balloting, it appeared that

James Morrison received	-	-	-	-	-	34 votes.
Daniel Mace received	-	-	-	-	-	14 votes.
Blank	-	-	-	-	-	1 vote.

James Morrison, having received a majority of all the votes given, was declared, by the President, duly elected on the part of the Senate, President of the State Bank of Indiana, to serve as such for the term of five years from and after the expiration of his term of service.

On motion,

Ordered, That the Secretary inform the House of Representatives thereof by sealed message.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT :

I am directed by the House of Representatives to deliver to the Senate the accompanying sealed message, in relation to the election of a President of the State Bank of Indiana.

Which was taken up ; and

On motion,

The Senate proceeded to open and consider the following message :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that at an election held in the Hall of the House of Representatives on Friday, the 8th day of December, 1848, in accordance with a resolution adopted by both Houses of the General Assembly of the State of Indiana, for the purpose of electing a President of the State Bank of Indiana, to fill the vacancy of James Morrison, Esq., whose term of service will expire during the present session of the General Assembly, on the first ballot, with closed doors, James Morrison, Esq., having received a majority of all the votes given, was declared duly elected on the part of the House of Representatives, President of the State Bank of Indiana, to serve as such for the term of five years from and after the expiration of the term of service of the present incumbent.

JOHN W. DODD,
Clerk House of Representatives.

The two Houses having agreed in their choice of a President of the State Bank of Indiana, James Morrison was declared by the President, duly elected President of the State Bank of Indiana, to serve as such for the term of five years from and after the expiration of his present term of service.

On motion by Mr. Davis,

The reports of the several Branches of the State Bank of Indiana, were taken from the table ; and referred to the committee on the State Bank.

On motion by Mr. Cornett,

The report of the Board of Trustees of the Asylum for the Education of the Deaf and Dumb ; was taken from the table, and

Referred to the committee on the Benevolent Institutions of the State.

On motion,

The Senate resumed the consideration of the resolution of the House providing for going into the election of United States Senator and pending amendments.

The question being on seconding the call for the previous question ; and

The ayes and noes being demanded by two Senators ; they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Day, of Kosciusko, Day, of St. Joseph, Evans, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Marsh, Malott, Martin, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, Tabor, and Waters—26.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Dole, Ellis, English, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, and Walpole—22.

So the call of the previous question was seconded.

The question then being ;

Shall the main question be now put ? when

Mr. Martin moved to reconsider the vote on seconding the call for the previous question, and

It was reconsidered.

The question then recurring on seconding the call for the previous question,

Mr. Coates moved to lay the resolution and pending amendments upon the table ;

On which motion,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Buckles, Coates, Davis, Day, of St. Joseph, English, Evans, Graham, Green, Harvey, Hendricks, Henry, Houghton, Huffstetter, Marsh, Malott, Martin, Montgomery, Morrison, Randall, Rousseau, Sleeth, Stewart, Taber, Walpole, and Waters—25.

Those who voted in the negative are :

Messrs. Adams, Beard, Cassatt, Conduit, Cornett, Day of Kosciusko, Dole, Ellis, Garver, Hamrick, Hardin, Herod, Holloway, Hubbard, James, Millikin, Milligan, Miller, Orth, Osborn, Porter, Read and Robinson—23.

So the resolution of the House and pending amendments were laid on the table.

Mr. Taber asked and obtained leave to introduce the following resolution :

Resolved, That the committee on unfinished business be requested to report to the Senate "An act for the creation of additional branches to the State Bank of Indiana," together with the reasons of His Excellency, the Governor, for withholding his signature to the same.

Which was adopted by consent.

On motion by Mr. Ellis,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President laid before the Senate the following communication from the Warden of the States Prison, accompanied by the third annual report of said Warden:

Nov. 9th, 1848.

Hon. Paris C. Dunning:

SIR:—You will please lay before the Senate the third annual report of the Warden of the Indiana State Prison. And much oblige,
Your very humble and obedient servant,
WM. LEE, *Warden*.

On motion by Mr. Read,
The communication and report were laid on the table and three hundred copies of the report ordered to be printed.

ORDERS OF THE DAY.

Bills of the Senate on their second reading.

No. 2. A Joint Resolution relative to the further extension of slavery.

Read a second time, when

Mr. Read moved to refer the Joint Resolution to the committee on Federal Relations.

Upon which the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are:

MESSRS. Adams, Buckles, Coats, Day, of St. Joseph, English,

Evans, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Marsh, Malott, Martin, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart and Taber—25.

Those who voted in the negative are:

MESSRS. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau and Walpole—22.

So the Resolutions were referred to the committee on Federal Relations.

Whereupon, Mr. Davis moved to instruct said committee as follows:

That said committee be instructed not to strike out the first Resolution, which is in the following words:

"*Therefore, Be it resolved by the General Assembly of the State of Indiana, That our Senators in Congress be, and they are hereby instructed, and our Representatives requested, to use their influence, and vote in favor of the passage of a law providing that their shall be neither slavery, nor involuntary servitude in any of said Territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted.*"

Before the question of instructing the committee, as proposed by Mr. Davis, was put,

Mr. Stewart called for a division of the question, which was ordered.

Whereupon, Mr. Orth moved to lay the instructions proposed by Mr. Davis upon the table.

And the ayes and noes being demanded by Messrs. Orth and Davis, they were ordered:

Those who voted in the affirmative are,

None.

Those who voted in the negative are,

MESSRS. Adams, Beard, Buckles, Cassatt, Coats, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Evans, Garver, Graham, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Marsh, Malott, Martin, Millikin, Milligan, Miller, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Sleeth, Stewart, Taber and Waters—47.

So the question was decided in the negative, and the Senate refused to lay the instructions upon the table.

The question again recurring upon instructing the committee as proposed by the Senator from Floyd,

Mr. Stewart again called for a division of the question.

The President decided the question to be susceptible of division; and that the first question would be,

Will the Senate instruct the committee at all?

Whereupon, Mr. Osborn appealed from the decision of the Chair, and sent up his appeal in the following words, to-wit:

"The Senator from Floyd moves to instruct the committee on Federal Relations, not to strike out the first resolution of the joint resolutions relative to the territory acquired from Mexico; the Senator from Marion calls for a division of the question; and the chair decides that the question is susceptible of a division, and that the question is, will the Senate instruct the committee at all? from which decision the Senator from Laport appeals.

The question upon said appeal being,

Shall the decision of the Chair stand as the judgment of the Senate?

Before the question was taken,

On motion by Mr. Davis,

The Senate adjourned.

SATURDAY MORNING, DECEMBER 9, 1848.

The Senate met.

The journal of the preceding day was read.

The President laid before the Senate the reports of the Branches of the State Bank at Indianapolis and Terre Haute,

Which were read; and

On motion,

The said reports were referred to the committee on the State Bank.

PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Martin presented the petition of John Kromer, praying for relief, which,

On motion by Mr. Martin,

Was referred to the committee on claims.

Mr. Marsh presented the petition of Miles Baldwin praying for a divorce from his wife Rosetta Baldwin.

Which was read; and

On motion by Mr. Marsh,

Was referred to the committee on the judiciary.

RESOLUTIONS OF THE SENATE.

Mr. Milligan offered the following resolutions:

Resolved, That the Principal and Assistant Secretaries of the Senate be, and they are hereby authorized to employ such additional assistants as may be required.

Which resolution was adopted.

Mr. Davis offered the following resolution:

Resolved, That the committee on federal relations be, and they are hereby instructed, not to strike out the first resolution contained in joint resolution No. 2, of the Senate, which resolution reads in the words following:

THEREFORE, *Be it Resolved by the General Assembly of the State of Indiana*, That our Senators in Congress be, and they are hereby instructed, and our Representatives requested to use their influence and vote in favor of the passage of a law providing that there shall be neither slavery nor involuntary servitude in any of said Territory otherwise than in the punishment of crimes whereof the party has been duly convicted.

The question being on the adoption of the resolution,

Mr. Miller moved to lay the resolution upon the table.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Coates, Day of St. Joseph, English, Evans, Graham, Green, Hardin, Henry, Huffstetter, James, Malott, McCarty, Miller, Morrison, Read, Sleeth, Stewart, Taber and Waters—20.

Those who voted in the negative are,

Messrs. Buckles, Cassatt, Conduit, Cornet, Davis, Day of Kosciusko, Dole, Ellis, Garver, Hamrick, Harvey, Hendricks, Herod, Holloway Hubbard, Houghton, Marsh, Millikin, Milligan, Montgomery, Orth, Osborn, Porter, Randall, Robinson, Rousseau and Walpole—27.

So the Senate refused to lay the resolution upon the table.

The question again recurring on the adoption of the resolution, and before the same was taken,

Mr. Graham proposed the following amendment:

And that said committee be further instructed to add to said joint resolution the following:

"And that our Senators be instructed and our Representatives be requested to use their votes and influence against re-chartering a United States Bank, against a distribution of the proceeds of the sales of the public lands, and a revival of the tariff of 1842."

The question being upon the adoption of the amendment proposed by Mr. Graham, and before the same was taken,

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives instantler, for the purpose of electing by joint ballot of the two Houses of the General Assembly, a Warden to the Indiana State Prison, and that seats be provided for their accommodation on the right of the Speaker's chair.

The Senate then repaired to the Hall of the House of Representatives proceeded by their President, and proceeded in joint convention with the House to the election of a Warden to the Indiana State Prison, in the place of the present incumbent, whose term of office will expire during the present session of the General Assembly.

Messrs. Davis and Read acting as tellers on the part of the Senate, and Messrs. Dowling and Edmonston on the part of the House. On counting the first balloting it appeared that

Henry C. Monroe received,	69 votes.
Lemuel Ford received,	42 votes.
William Lee received,	18 votes.
John Mitchel received,	13 votes.
Joseph E. Moore received,	3 votes.
Scattering,	2 votes.

No person having received a majority of all the votes given, the convention proceeded to a second balloting.

And upon counting the same it appeared that

Henry C. Monroe received,	69 votes.
Lemuel Ford received,	64 votes.
William Lee received,	8 votes.
John Mitchel received,	8 votes.

No gentleman having received a majority of all the votes given, the convention proceeded to a third balloting.

And upon counting the same it appeared that

Lemuel Ford received,	- - -	80 votes.
Henry C. Monroe received,	- - -	68 votes.

Lemuel Ford having received a majority of all the votes given, was declared by the President duly elected Warden to the Indiana State Prison, to serve as such for the term of three years from and after the expiration of the term of service of the present incumbent.

The President then pronounced the convention adjourned *sine die*. And the Senate returned to their chamber; and,

On motion,
The Senate adjourned.

Two o'clock, P. M.

The Senate met, and

On motion by Mr. Martin,
The Senate adjourned until 9 o'clock on Monday morning.

MONDAY MORNING, DEC. 11, 1848.

The Senate met pursuant to adjournment.

The journal of Saturday was read.

Mr. Holloway presented the petition of the Religious Society of Anti-Slavery Friends, in relation to repeal of the Black Laws ; Which was read, and

On motion by Mr. Holloway,
The petition was referred to a select committee consisting of Messrs. Holloway, Evans, and Beard.

Mr. Herod presented a petition from citizens of Jennings, Decatur and Bartholomew counties, praying for the establishment of a State Road therein mentioned.

Which,

On motion by Mr. Herod,

Was referred to a select committee consisting of Messrs. Herod, Robinson, and Sleeth.

Mr. Buckles presented the petition of John Jack and others in relation to a school section in Delaware county;

Which was referred to a select committee consisting of Messrs. Buckles, Garver, and Milligan.

Mr. Holloway presented a petition from the yearly meeting of Anti-Slavery Friends praying the abolition of capital punishment;

Which was read and referred to the committee on the judiciary.

Mr. Harvey, from the committee on unfinished business, made the following report:

MR. PRESIDENT:

The committee on unfinished business, in obedience to a resolution of the Senate requesting said committee to report to the Senate "an act for the creation of additional branches of the State Bank of Indiana," together with the reasons of his Excellency, the Governor, for withholding his signature to the same, have instructed me to report said bill to the Senate, together with a certified copy of the reasons of the Governor for withholding his signature thereto, and said committee ask to be discharged from the further consideration of the subject.

Thereupon, the bill

No. 20. A bill authorizing the establishment of additional Branches of the State Bank of Indiana,

Was read a first time; and,

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time and referred to the committee on the State Bank.

Mr. Miller, from a select committee, made the following report:

MR. PRESIDENT:

The select committee to which was referred the petition of Patsey C. Paden praying for a special act to authorize her to sell certain real estate she inherited from her father, have had that subject under consideration, and directed me to report the following bill and recommend its passage.

Thereupon, the bill,

No. 21. A bill to authorize Patsey C. Paden to sell certain real estate she inherited from her father,

Was read a first time and passed to a second reading on to-morrow.

Mr. Coates moved to take from the table the resolution from the House of Representatives, in relation to the election of a United States Senator.

Before the question was taken upon the motion,

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House, *instanter*, for the purpose of going into the election of Secretary of State, and that seats be provided for them on the right of the Speaker's chair.

The Senate, preceded by their President, then repaired in a body to the Hall of the House of Representatives, and proceeded, in joint convention with the House, to the election of a Secretary of State, in the place of the present incumbent, whose term of office is about to expire;

Messrs. Randall and Ellis acting as tellers on the part of the Senate, and Messrs. Harlan and Donohue on the part of the House.

Upon counting the first balloting it appeared that—

John H. Thompson received	61 votes.
David Reynolds received	29 votes.
Andrew L. Robinson received	18 votes.
James Hughes received	16 votes.
Erasmus D. Crookshank received	16 votes.
John R. Jones received	5 votes.
Charles H. Test received	1 vote.
Scattering,	1 vote.

No gentleman having received a majority of all the votes given, the convention proceeded to a second balloting; and upon counting the same it appeared that—

David Reynolds received	33 votes.
James Hughes received	28 votes.
John R. Jones received	26 votes.
Erasmus D. Crookshank received	23 votes.
Andrew L. Robinson received	20 votes.
Peter Daggy received	15 votes.
Charles H. Test received	1 vote.
Scattering,	2 votes.

No person having received a majority of all the votes given, the convention proceeded to a third balloting;
And upon counting the same it appeared that—

James Hughes received	- - -	36 votes.
David Reynolds received	- - -	34 votes.
Erasmus D. Crookshank received	- - -	23 votes.
John R. Jones received	- - -	19 votes.
Andrew L. Robinson received	- - -	14 votes.
Charles H. Test received	- - -	9 votes.
Peter Daggy received	- - -	9 votes.
Scattering	- - -	4 votes.

No person having received a majority of all the votes given, the convention proceeded to a fourth balloting;
And upon counting the same it appeared that—

James Hughes received	- - -	42 votes.
David Reynolds received	- - -	34 votes.
Charles H. Test received	- - -	24 votes.
Erasmus D. Crookshank received	- - -	20 votes.
John R. Jones received	- - -	14 votes.
Andrew L. Robinson received	- - -	11 votes.
Scattering	- - -	4 votes.

No person having received a majority of all the votes given, the convention proceeded to a fifth balloting;
And upon counting the same, it appeared that—

Charles H. Test received	- - -	42 votes.
James Hughes received	- - -	38 votes.
David Reynolds received	- - -	25 votes.
Erasmus D. Crookshank received	- - -	23 votes.
Andrew L. Robinson received	- - -	11 votes.
John R. Jones received	- - -	9 votes.

On motion,
The convention adjourned until 2 o'clock, P. M.
The Senate returned to their chamber; and,

On motion,
The Senate adjourned.

Two o'clock, P. M.

The Senate met;

Mr. James asked and obtained leave to introduce the following bill:

No. 22. A bill to construct a Rail Road from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Rail Road at or near Olney, in the State of Illinois, via Princeton, Gibson county, Indiana, to Mt. Carmel, Illinois;

Which was read a first; and,

On motion by Mr. Miller,

The rules were suspended, the bill read a second time, and referred to the committee on corporations

The Senate then repaired again to the Hall of the House of Representatives, and in joint convention with the House, proceeded to a sixth balloting for a Secretary of State.

Upon counting the sixth balloting it appeared that—

James Hughes received	- - -	37 votes.
Charles H. Test received	- - -	34 votes.
John R. Jones received	- - -	21 votes.
David Reynolds received	- - -	19 votes.
Erasmus D. Crookshanks received	- - -	17 votes.
Andrew L. Robinson received	- - -	12 votes.
Scattering	- - -	9 votes.

No person having received a majority of all the votes given, the convention proceeded to a seventh balloting;
And upon counting the same, it appeared that—

James Hughes received	- - -	53 votes.
Charles H. Test received	- - -	46 votes.
David Reynolds received	- - -	30 votes.
John R. Jones received	- - -	24 votes.
Scattering	- - -	2 votes.

No person having received a majority of all the votes given, the convention proceeded to an eighth ballot;
Which resulted as follows:

James Hughes received	- - -	48 votes.
Charles H. Test received	- - -	48 votes.
David Reynolds received	- - -	30 votes.
John R. Jones received	- - -	20 votes.
Scattering	- - -	3 votes.

No person having received a majority of all the votes given, the convention proceeded to a ninth balloting ;

Which resulted as follows :

Charles H. Test received	- - -	49 votes.
James Hughes received	- - -	43 votes.
David Reynolds received	- - -	19 votes.
Andrew L. Robinson received	- - -	12 votes.
Erasmus D. Crookshanks received	- - -	12 votes.
John R. Jones received	- - -	9 votes.
Scattering,	- - -	5 votes.

No person having received a majority of all the votes given, the convention proceed to a tenth balloting ;

And upon counting the same, it appeared that—

Charles H. Test received	- - -	61 votes.
James Hughes received	- - -	46 votes.
Andrew L. Robinson received	- - -	15 votes.
David Reynolds received	- - -	10 votes.
Erasmus D. Crookshanks received	- - -	8 votes.
John R. Jones received	- - -	4 votes.
Scattering,	- - -	4 votes.

No person having received a majority of all the votes given, the convention proceeded to an eleventh balloting ;

With the following result :

Charles H. Test received	- - -	62 votes.
James Hughes received	- - -	58 votes.
Andrew L. Robinson received	- - -	12 votes.
David Reynolds received	- - -	6 votes.
Erasmus D. Crookshanks received	- - -	3 votes.
John R. Jones received	- - -	3 votes.
Scattering,	- - -	4 votes.

No person having received a majority of all the votes given ;

On motion,

The convention adjourned until 2 o'clock, P. M., on to-morrow.

The Senate returned to their chamber ; and,

On motion,

The Senate adjourned.

TUESDAY MORNING, DECEMBER 12, 1848.

The Senate met ;

The Journal of the preceding day was read.

The President laid before the Senate the following communication from the Agent of State, accompanied by his annual Report :

INDIANAPOLIS, Dec. 12, 1848.

Hon. PARIS C. DUNNING,

President of the Senate :

SIR :—Herewith I hand you my annual Report as Agent of State. Please lay it before the Senate, and believe me,

Very Respectfully,

JAMES COLLINS, JR.

And,

On motion by Mr. Montgomery,

The report was ordered to lay upon the table and five hundred copies thereof, ordered to be printed for the use of the Senate.

Mr. Davis, from the committee on the State Bank, made the following report :

MR. PRESIDENT :

The committee on the State Bank, to which was referred bill No. 20, authorizing the establishment of additional Branches of the State Bank of Indiana, have had said bill under consideration and have instructed me to report the same back to the Senate, and recommend its passage ;

And,

On motion,

The rules were suspended and the bill read a third time.

The question being on the passage of the bill,

The ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Day, of Kociusko, Day, of St. Joseph, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, James, Marsh, Martin, Milligan, Montgomery, Orth, Osborn, Porter, Read, Robinson, Rousseau, Stewart, Taber, Walpole, and Waters—32.

Those who voted in the negative are,

Messrs. Adams, Buckles, Cornett, Garver, Graham, Green, Hardin, Henry, Huffstetter, Malott, McCarty, Millikin, Morrison, Randall, and Sleeth—15.

So the bill passed.

On motion,

The previous order of business was suspended and the Senate proceeded to consider the motion made by Mr. Coates, to take from the table the resolution of the House of Representatives, providing for the election of a United States Senator, with the pending amendments;

Which motion was pending when the subject was last under consideration.

The question being upon the motion to take from the table;

And it was decided in the affirmative.

So the resolution and pending amendments were taken from the table.

The question being on the adoption of the amendment of the Senator from Vigo, to the amendment of the Senator from Hancock. to the resolution, and the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Davis, Day, of St. Joseph, Dole, English, Evans, Garver, Graham, Green, Hardin, Henry, Houghton, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Morrison, Osborn, Randall, Read, Sleeth, Stewart, Taber, and Waters—30.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Day, of Kosciusko, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Hubbard, Montgomery, Orth, Porter, Robinson, Rousseau, and Walpole—18.

So the amendment to the amendment was adopted.

Mr. Coates moved to lay the amendment as amended upon the table.

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, English, Graham, Green, Hardin, Henry, Huffstetter, James, Marsh, Malott, McCarty, Millikin, Morrison, Read, Sleeth, Stewart, and Waters—19.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Evans, Garver, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Martin, Milligan, Montgomery, Orth, Osborn, Porter, Randall, Robinson, Rousseau, Taber, and Walpole—29.

So the Senate refused to lay the amendment as amended upon the table.

Mr. Robinson moved further to amend the amendment as follows:

Provided, however, That if the welfare and prosperity of the country at large, shall require the establishment of such Bank, then and in that case, our Senators are hereby instructed, and our Representatives requested, to use their votes and influence to procure the establishment of such Bank.

Mr. Hardin moved to lay the amendment proposed by Mr. Robinson upon the table;

Upon which motion the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Day, of St. Joseph, English, Evans, Garver, Graham, Green, Hardin, Harvey, Houghton, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—27.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, and Walpole—21.

So the amendment proposed by Mr. Robinson to the amendment was laid upon the table.

Mr. Millikin proposed to further amend the amendment as follows:

Amend by inserting after the word Bank, the words;

And he is hereby further instructed to use his influence and vote against any and all attempts to pass a Bankrupt law.

The question being upon the adoption of the amendment, and

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Evans, Garver, Graham, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Sleeth, Stewart, Taber, Walpole, and Waters—48.

Those who voted in the negative are,

None.

So the amendment to the amendment was adopted.

Mr. McCarty moved further to amend the amendment by adding the following :

And that he shall support the Tariff of 1846, and oppose the revival of the Tariff of 1842.

The question being upon the adoption of the above amendment,

Mr. Hamrick moved to lay the amendment upon the table ;

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Porter, Robinson, Rousseau, and Walpole—21.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Day, of St. Joseph, English, Evans, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—26.

So the amendment was not laid upon the table.

The question again recurring upon the adoption of the amendment of Mr. McCarty, to the amendment, and

The ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Day, of St. Joseph, English, Evans, Garver, Graham, Green, Hardin, Henry, Huffstetter, James,

Marsh, Malott, Martin, McCarty, Millikin, Milligan, Morrison, Randall, Read, Sleeth, Stewart, Taber and Waters—26.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau and Walpole—22.

So the amendment was adopted.

Mr. Robinson moved further to amend as follows :

Unless the adoption of the tariff of 1842 becomes necessary for the payment of the public debt, created by the Mexican War.

The question being upon the adoption of the amendment proposed by Mr. Robinson to the amendment as amended ; and

The ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau and Walpole—22.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Day, of St. Joseph, English, Evans, Garver, Green, Graham, Hardin, Henry, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Morrison, Randall, Read, Sleeth, Stewart, Taber and Waters—26.

So the amendment was not adopted.

Mr. Millikin moved further to amend the amendment, as follows :

And he is hereby further instructed to oppose every attempt to lengthen the time that foreigners have to reside in the country before they can be naturalized.

The question being upon the adoption of the amendment to the amendment, and

The ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Conduit, Cornett,

Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Evans, Garver, Graham, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Sleeth, Stewart, Taber and Walpole—47.

Mr. Waters voted in the negative.

So the amendment was adopted.

Mr. Orth moved further to amend the amendment as follows :

And that he be instructed to use his vote and influence to reduce the time of residence, prior to naturalization, from five to three years.

The question being upon the adoption of the amendment proposed by Mr. Orth to the amendment,

Mr. Graham moved to lay the amendment upon the table.

The question being upon laying the amendment upon the table,

Mr. Orth called for a division of the question,

Which was ordered ; and

The question being upon laying the amendment proposed by Mr. Orth to the amendment, as amended, upon the table,

And the ayes and nays being demanded by two Senators they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Dole, Evans, Green, Hamrick, Harvey, Huffstetter, James, Malott and Millikin—10.

Those who voted in the negative are,

Messrs. Beard, Buckles, Coats, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Ellis, English, Garver, Graham, Hardin, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Marsh, McCarty, Milligan, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Sleeth, Stewart, Taber, Walpole and Waters—36.

So the amendment was not laid upon the table.

The question again recurring upon the adoption of the amendment proposed by Mr. Orth to the amendment, as amended,

Mr. Hardin called for the previous question.

The question being on seconding the call for the previous question, and

The ayes and nays being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coats, Day, of St. Joseph, English, Evans, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Morrison, Randall, Read, Sleeth, Stewart, Walpole and Waters—26.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, and Rouaseau—21.

So the call for the previous question was seconded by the Senate.

The question then being,

Shall the main question be now put?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, and Walpole—22.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Day, of St. Joseph, English, Evans, Garver, Graham, Green, Hardin, Henry, Harvey, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—26.

So the Senate refused to have the main question then put.

Mr. Walpole moved to reconsider the vote upon seconding the call for the previous question,

Which was decided in the negative.

So the Senate refused to reconsider the vote.

On motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President laid before the Senate reports from various Branches of the State Bank; which,

On motion by Mr. Davis,

Were referred to the committee on the State Bank.

The President also laid before the Senate the report of the State Bank of Indiana; which,

On motion by Mr. Davis,

Was referred to the committee on the State Bank, and five hundred copies ordered to be printed.

The hour to which the joint convention had adjourned having arrived,

The Senate repaired in a body to the Hall of the House of Representatives, and proceeded to a twelfth balloting for Secretary of State, in joint convention with the House.

Messrs. Randall and Harvey acting as tellers on the part of the Senate, and Messrs. Harlan and Donohue on the part of the House.

And upon counting the same, it appeared that

David Reynolds received	63 votes.
Charles H. Test received	59 votes.
Erasmus D. Crookshank received	14 votes.
John R. Jones received	6 votes.
Blank	4 votes.

No person having received a majority of all the votes given, the convention proceeded to a thirteenth balloting.

And upon counting the same, it appeared that

Charles H. Test received	76 votes.
David Reynolds received	60 votes.
Scattering	11 votes.

Charles H. Test having received a majority of all the votes given was declared by the President, duly elected Secretary of State, to serve as such for the term of four years from and after the expiration of the term of service of the present incumbent:

Thereupon,

The President of the convention declared the same adjourned, *sine die*.

When the Senate returned to their chamber.

Resolutions being in order:

The consideration of the resolution formerly introduced by Mr. Davis instructing the committee on Federal Relations in relation to joint resolution, No. 2, of the Senate, was resumed.

Mr. Osborn offered the following amendment:

Amend the resolution so that the committee be instructed to report the following amendment to the joint resolution:

And be it further Resolved, That in the opinion of this General Assembly, Congress possesses the constitutional power to make appropriations of money and land for the improvement of harbors on the Lakes, and for the removal of obstructions to the navigation of the Mississippi and Ohio Rivers, and their principal tributaries, when such improvements are of National importance and tend to regulate or facilitate commerce among the several States; that Congress ought to exercise the power aforesaid at its present session, by making liberal appropriations for the objects above specified; and that the several vetoes of the present Executive of the United States, of bills making appropriations for the improvement of rivers and harbors, are subversive of the true interests of the country, and in violation of the wishes of the people.

Mr. Stewart called for the previous question;

Which was seconded.

The question then being,

Shall the main question be now put?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, and Walpole—22.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Day, of St. Joseph, English, Garver, Graham, Green, Hardin, Harvey, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Miller, Milligan, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—26.

So the Senate decided not to have the main question put at that time.

Mr. Graham offered the following resolution:

Resolved, That the Senate will, the House concurring therein, go into the election of United States Senator on to-day, at 4 o'clock, P. M.

The question being upon the adoption of the resolution;

Mr. Martin moved to amend as follows:

Strike out "to-day," and insert "Saturday next."

The question being on the adoption of the amendment, and

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Montgomery, Orth, Osborn, Porter, Robinson, Taber, and Walpole—24.

Those who voted in the negative are

Messrs. Adams, Buckles, Cornett, Day, of St. Joseph, English, Evans, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Rousseau, Sleeth, Stewart, and Waters—25.

So the amendment was not adopted.

Mr. Walpole offered the following amendment to the resolution :

And be it further Resolved, That the Senator who may be elected, as provided for in the foregoing resolution, be and he is hereby, instructed to use his influence and vote to incorporate the provisions of the sixth section of the Ordinance of Congress of 1787, in the organic laws that may be adopted for the government of the newly acquired territory from the Republic of Mexico.

Mr. Millikin called for the previous question ; and,

The ayes and noes being demanded by two Senators, upon seconding the call for the previous question, they were ordered.

Those who voted in the negative are,

Messrs. Adams, Buckles, Day, of St. Joseph, English, Evans, Garver, Graham, Green, Hardin, Harvey, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, and Stewart—22.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coates, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Taber, Walpole, and Waters—27.

So the Senate refused to second the call for the previous question.

Mr. Stewart moved to lay the amendment upon the table ; and,

Upon the question of laying upon the table, the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Coates, English, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Miller, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—21.

Those who voted in the negative are,

Messrs. Beard, Buckles, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Milligan, Montgomery, Osborn, Orth, Porter, Robinson, Rousseau, and Walpole—28.

So the Senate refused to lay the amendment upon the table.

Mr. Millikin moved to lay the resolution and pending amendments upon the table.

Which motion was decided in the affirmative; and

The resolution and pending amendments were laid upon the table.

Mr. Martin offered the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, go into the election of United States Senator on Saturday the 16th inst., at 10 o'clock A. M., in the place of the Hon. E. A. Hannegan, whose term of service expires on the 4th day of March next.

The question being on the adoption of the resolution,

Mr. Walpole offered the following amendment to the resolution:

And be it further Resolved, That the Senator so elected as provided in the foregoing resolution, be, and he is hereby instructed to use his influence and vote as such Senator, to incorporate the provisions of the sixth section of the ordinance of Congress of 1787, in the organic laws that may be adopted by Congress for the government of the newly acquired territory from the republic of Mexico.

The question being upon the adoption of the amendment to the resolution:

Mr. Henry offered the following amendment to the amendment:

And that he use his vote and influence against the establishment of a United States Bank and also against the establishment of the Whig Tariff of 1842.

The question being upon the adoption of the amendment to the amendment,

Mr. Miller called for the previous question.

And the Senate refused to second the call for the previous question.

Whereupon,

Mr. Evans offered the following amendment to the amendment to the resolution:

Amend by adding,

Or some other act equally well calculated to prevent the introduction of Slavery into said Territories.

Which was accepted by Mr. Walpole.

The question being upon the adoption of the amendment of Mr. Henry to the amendment of Mr. Walpole to the resolution,

Mr. Hardin moved to lay the resolution and pending amendments upon the table.

Which motion was decided in the negative.

So the Senate refused to lay the resolution and pending amendments upon the table.

The question again recurring upon the adoption of the amendment to the amendment, and the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Day of St. Joseph, English, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Marsh, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart and Taber—24.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Walpole and Waters—24.

So the amendment to the amendment was not adopted.

Mr. McCarty offered the following amendment to the amendment:

That the Senator to be elected be instructed to use his exertions to prevent the establishment of Slavery in the Territories recently acquired—and as Slavery is now excluded by law, it would be idle and nugatory to attempt its exclusion by further legislation, and only disturb the harmony of our people by an unnecessary exercise of power.

Mr. Stewart moved to lay the resolution and pending amendments on the table.

Upon which,

Mr. Ellis called for a division of the question,

And the chair having decided the question to be susceptible of division stated that the first question will be,

Shall the amendment to the amendment lay upon the table,

Which was decided in the affirmative.

And the amendment to the amendment was laid upon the table.

The question then being upon laying the amendment to the resolution upon the table.

And the ayes and noes being demanded by two Senators, they were ordered.

Those whose voted in the affirmative are,

Messrs. Coates, Henry, Huffstetter, James, Malott, McCarty, Millikin, Miller, Morrison, Sleeth and Stewart—11.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Evans, Garver, Graham, Green, Hamrick, Hardin, Harvey, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Milligan, Montgomery, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Taber, Walpole and Waters—37.

So the Senate refused to lay the amendment to the resolution on the table.

On motion by Mr. Taber,

The further consideration of the resolution and pending amendments, was postponed until Monday next.

Mr. Morrison offered the following resolution:

Resolved, That the Agent of State be requested to communicate to the Senate all the information in his possession in relation to the "Georgia Lands"—their probable cash value—the amount of taxes paid, or now due on the same, and the reasons why such taxes have not been regularly and promptly paid.

Which was adopted.

Mr. Hamrick asked and obtained leave to introduce the following bill.

No. 23. A Bill to incorporate the Trustees of the Greencastle Female Collegiate Seminary.

Which was read a first time, and

On motion by Mr. Hamrick,

The rules were suspended and the bill read a second time, and referred to a select committee, consisting of Messrs. Hamrick, Holloway and Harvey.

Mr. Buckles introduced the following bill:

No. 24. A Bill repealing an act therein named.

Which was read a first time and passed to a second reading.

Mr. Millikin introduced the following bill:

No. 25. A Bill to incorporate the Cross plains and Laughrey creek Turnpike Company.

Which was read a first time and passed to a second reading.

Mr. Waters introduced the following resolution:

Resolved, That the Auditor of State be and he is hereby required, to report to the Senate at as early a day as is practicable, the action and proceedings of the Commissioners heretofore appointed to re-appraise the Wabash and Erie Canal lands, so far as the same may have come to his knowledge.

Which was adopted.

Mr. Holloway introduced the following joint resolution:

No. 26. A joint resolution relative to the independence of Liberia;

Which was read a first time, and,

On motion by Mr. Holloway,

The rules were suspended and the joint resolution read a second time, and referred to the committee on federal relations.

Mr. Stewart introduced the following bill:

No. 27. A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company;

Which was read a first time, and,

On motion by Mr. Stewart,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

Mr. Hubbard introduced the following bill:

No. 28. A bill to repeal an act entitled "an act to amend an act entitled an act supplemental to an act subjecting real and personal property to execution, approved February 11th, 1843, and to revise the thirteenth article of chapter forty of the Revised Statutes of 1843;

Which was read a first time and passed to a second reading.

Mr. James introduced the following bill:

No. 29. A bill to give effect to the last will and testament of Jane Parker;

Which was read a first time, and,

On motion by Mr. James,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

Mr. Buckles introduced the following bill:

No. 30. A bill fixing the times of holding the several circuit courts in the eleventh judicial circuit;

Which was read a first time, and,

On motion by Mr. Buckles,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

Mr. Randall introduced the following bill:

No. 31. A bill to amend an act entitled "an act regulating the practice of law in the Allen circuit court, and for other purposes, approved January 15th, 1848;

Which was read a first time, and,

On motion by Mr. Randall,

The rules were suspended, and the bill read a second time and referred to the committee on the Judiciary.

Mr. Martin offered the following joint resolution:

No. 32. A joint resolution on the subject of the extension of Slavery;

Which was read a first time, and passed to a second reading.

Mr. Randall introduced the following bill:

No. 33. A bill to provide for amending the practice in the Supreme Court of this State;

Which was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

On motion,

The Senate adjourned until to-morrow morning.

WEDNESDAY MORNING, DECEMBER 13, 1848.

The Senate met.

The journal of the preceding day was read.

Mr. Huffstetter presented the petition of John Baker and others, praying a change in the laws relative to injunctions; which,

On motion,

Was referred to the committee on the judiciary.

Mr. Green presented a petition from sundry citizens of Vevay, Switzerland county, praying an amendment of a certain act therein named; which,

On motion by Mr. Green,

Was referred to a select committee, consisting of Messrs. Green, Millikin and Hendricks.

Mr. Robinson made the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred the petition of sundry citizens of Decatur, Jennings and Bartholomew counties, on the subject of a State road, have, according to order, had the same under consideration, and have directed me to report the following bill, and recommend its passage.

And the bill,

No. 34. A bill to locate a State road in the counties of Decatur, Jennings and Bartholomew,

Was read a first time; and,

On motion by Mr. Robinson,

The rules were suspended, and the bill read a second time, and,

Ordered to be engrossed to a third reading.

Mr. Herrod offered the following resolution:

Resolved, That the committee on roads be instructed to enquire into the expediency, and report to the Senate, a bill changing the compensation of Supervisors, so that their compensation shall depend upon the number of hands superintended per day by them.

Which was adopted.

The following message was received from the House of Representatives, by Mr. Dodd their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bill of the Senate without amendment:

No. 1. An act to authorize Robert Rossington to file a bill for a divorce at the January special term, 1849, of the Dearborn Circuit Court.

Mr. Henry offered the following resolution:

Resolved, That the Secretary of State be requested to furnish the Senate with a statement showing the number of votes given in each county at the last August election, in favor of and against "Free Schools."

The question being upon the adoption of the resolution,

Mr. Walpole moved to amend,

By striking out "Secretary of State," and inserting "Governor,"

Which was adopted.

Mr. Walpole offered the following amendment to the resolution:

And what recommendations, if any, he has to make to the General Assembly in reference to the subject of Common Schools.

The question being on the adoption of the amendment, and,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are.

Messrs. Adams, Beard, Cassatt, Coats, Conduit, Cornett, Davis, Day of Kosciusko, Dole, Ellis, English, Garver, Graham, Green, Hamrick, Harvey, Hendricks, Henry, Herod, Holloway, Houghton,

Hubbard, Huffstetter, James, Marsh, Malott, Martin, Millikin, Milligan, Miller, Montgomery, Morrison, Orth, Porter, Randall, Robinson, Rousseau, Walpole, and Waters—39.

Those who voted in the negative are.

Messrs. Buckles, Day of St. Joseph, Evans, Hardin, McCarty, Sleeth, and Stewart—7.

So the amendment was adopted.

The question being upon the adoption of the resolution as amended, And it was adopted.

BILLS INTRODUCED.

Mr. Davis introduced the following bill,

No. 35. A bill incorporating the Lafayette Plank Road company.

Which was read a first time, and,

On motion by Mr. Davis,

The rules were suspended and the bill read a second time, and, Referred to the committee on Corporations.

Mr. Martin introduced the following bill:

No. 36. A bill to regulate the salaries of the President Judges of the Circuit Courts of this State;

Which was read a first time and passed to a second reading.

Mr. Cornett introduced the following bill:

No. 37. A bill to regulate trials by a jury in civil causes, as to make the decision of the majority the verdict of a jury;

Which was read a first time and passed to a second reading.

Mr. Milligan introduced the following bill:

No. 38. A bill to authorize the election of Congressional township Treasurer, and for other purposes, in the county of Jay;

Which was read a first time, and,

On motion by Mr. Milligan,

The rules were suspended and the bill read a second time, and, Referred to the committee on Education.

Mr. Hendricks introduced the following bill:

No. 39. A bill to amend Section sixty, of Chapter thirty-eight, of the Revised Laws of 1843;

Which was read a first time and passed to a second reading.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the House will, the Senate concurring therein, go

into the election of a United States Senator on Thursday, the 14th instant, at 10 o'clock, A. M.

On motion by Mr. McCarty,

The previous order of business was suspended, and

The message taken up.

Mr. Walpole moved to concur in the resolution from the House, with the following amendment :

Be it further resolved, That the Senator so elected is hereby instructed to use his influence and vote to incorporate the words of the 6th section of the Ordinance of Congress of 1787, in the organic laws that may be adopted by Congress for the government of the territory recently acquired from the Republic of Mexico.

The question being on concurring in the resolution from the House with the amendment,

Mr. McCarty called for the previous question ;

And the question being upon seconding the call for the previous question,

And it was decided in the affirmative.

So the call for the previous question was seconded.

The question then being :

Shall the main question be now put ?

And it was decided in the affirmative.

The Senate having decided to have the main question then put.

The Chair stated that the main question will be :

Will the Senate concur in the resolution from the House ?

And it was decided in the affirmative.

So the Senate concurred in the resolution from the House.

On motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Orth introduced the following bill :

No. 40. A bill incorporating the Dayton and Frankfort Plank Road Company ;

Which was read a first time, and

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time and referred to the committee on corporations.

Mr. Rousseau introduced the following bill :

No. 41. A bill to amend the law relative to costs in appeals from Justices of the Peace ;

Which was read a first time, and passed to a second reading.

Mr. Osborn introduced the following bill :

No. 42. A bill defining the duties of County Treasurers in the counties of Porter and Laporte ;

Which was read a first time, and

On motion by Mr. Osborn,

The rules were suspended, and the bill read a second time.

Mr. Orth moved to amend, by adding the county of Tippecanoe,

Which amendment was adopted.

Mr. Graham moved to amend, by adding the county of Warrick,

Which was adopted.

Mr. Hendricks moved further to amend by adding the county of Jefferson,

Which amendment was adopted.

Mr. Martin moved to further amend by adding the counties of Lagrange and Elkhart,

Which was adopted.

Mr. Stewart moved to further amend by adding the county of Marion ;

Which amendment was adopted.

Mr. Marsh moved to amend further by adding the counties of Steuben, DeKalb, and Noble ;

Which was adopted.

Mr. Taber moved to amend further by adding the counties of Cass, Pulaski, and Howard ;

Which was adopted.

Mr. Hubbard moved to amend further by adding the county of Rush ;

Which was adopted.

Mr. Waters moved further to amend by adding the counties of Carroll and Clinton ;

Which was adopted.

Mr. Garver moved to amend further by adding the county of Hamilton ;

Which was adopted.

Mr. Sleeth moved to amend further by adding the county of Shelby ;

Which was adopted.

Mr. Coats moved to amend further by adding the county of Fountain ;

Which was adopted.

Mr. Walpole moved to amend further by adding the counties of Madison and Hancock ;

Which was adopted.

And the bill was ordered to be engrossed for a third reading.

Mr. Harvey introduced the following bill :

No. 43. A bill to amend the Statute regulating the granting of divorces ;

Which was read a first time and passed to a second reading.

Mr. Hubbard introduced the following bill :

No. 44. A bill to compel the venders of patent medicines to publish a label stating the materials of which the medicine is composed ;

Which was read a first time, and passed to a second reading.

Mr. Garver introduced the following bill :

No. 45. A bill authorizing David Moss to sell certain stone in Hamilton county ;

Which was read a first time and passed to a second reading.

Mr. Osborn introduced the following bill :

No. 46. A bill fixing the time of holding the courts in the counties of Lake, Porter, and Laporte ;

Which was read a first time ; and,

On motion by Mr. Osborn,

The rules were suspended and the bill read a second time ; and,

On motion by Mr. Osborn,

The rules were further suspended, and the bill read a third time and passed.

Mr. Martin introduced the following bill :

No. 47. A bill to incorporate the "Lima Band ;"

Which was read a first time ; and,

On motion by Mr. Martin,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

Mr. Orth introduced the following bill :

No. 48. A bill authorizing the construction of Plank Roads ;

Which was read a first time and passed to a second reading.

Mr. Orth introduced the following bill :

No. 49. A bill relative to the Law Library ;

Which was read a first time ; and,

On motion by Mr. Orth,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

ORDERS OF THE DAY.

Bills of the Senate on their Second Reading :

No. 3. A bill to provide for the election of a United States Senator, by a viva voce vote ;

Which was read a second time and referred to the committee on elections.

No. 4. A bill to incorporate the Richmond and Newport Turnpike Company ;

Which was read a second time ; and,

On motion by Mr. Holloway,

It was referred to the committee on corporations.

No. 4. A bill (House) for the relief of Walter Hilt ;

Which was read a second time, and ordered to a third reading on to-morrow.

No. 5. A bill to exempt a homestead from forced sale in certain cases ;

Which,

On motion by Mr. Millikin,

Was referred to the committee on the judiciary.

Whereupon, Mr. Orth moved the following instructions to said committee :

Amend, by striking out "forty acres" and inserting "one hundred and sixty acres ;" and insert :

"But in no event, shall the property so exempt as aforesaid, exceed in value, the sum of five hundred dollars ; which valuation shall be ascertained by appraisers selected by the officer having such writ in his possession.

The question being upon the adoption of the instructions,

Mr. Waters offered the following amendment to the instructions :

Add the following :

That after the fourth day of July next, it shall not be lawful for any person to sue for the collection of any claim ;

Which amendment was adopted by consent.

Whereupon, Mr. Millikin moved to lay the instructions as amended, upon the table ;

And it was decided in the negative.

So the instructions were not laid upon the table.

The question then being on the adoption of the instructions as amended, and the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Davis, Hendricks, Orth, Taber, and Waters—5.

Those who voted in the negative are :

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Conduit, Cornett Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Evans Garver, Graham, Green, Hamrick, Hardin, Harvey, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Marsh, Malott, Martin, Millikin, Milligan, Miller, Montgomery, Morrison, Osborn, Porter, Randall, Read, Robinson, Rousseau, Sleeth, Stewart, and Walpole—43.

So the instructions were not adopted.

Mr. Read moved the following instructions to said committee :

That the committee be further instructed to abolish all securities for debts hereafter contracted, except where widows and orphans are immediately interested.

The question being upon the adoption of the instructions,

Mr. Marsh moved to lay them upon the table ;

Which motion was decided in the negative.

And the instructions were not laid upon the table.

The question again recurring upon the adoption of the instructions,

Mr. Marsh moved to amend as follows :

Strike out the word "hereafter."

Which amendment was not adopted.

Mr. Walpole offered the following amendment to the instructions :

Amend by adding the following :

That no one shall be bound as security on any obligation or contract hereafter made, unless the principal obligor or promisor first obtains the written consent of the wife of the security to said obligation, or other contract, which consent shall be taken before some person authorized to take acknowledgments of deeds, and by such officer duly certified.

Which was adopted.

The question then being upon the adoption of the instruction as amended ; and

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Davis, English, Read, Walpole, and Waters—5.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Conduit, Cornett, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Evans, Garver, Graham, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Marsh, Malott, Martin, Millikin, Milligan, Miller, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Robinson, Rousseau, Sleeth, Stewart, and Taber—43.

So the instructions were not adopted.

The President laid before the Senate a communication from the Auditor of State, in answer to the resolution of the Senate calling for the action and proceedings of the Commissioners appointed to re-appraise the Wabash and Erie Canal lands ; which,

On motion by Mr. Dole,

Was laid upon the table.

The President also laid before the Senate a communication from the Agent of State, in answer to the resolution of the Senate making inquiry relative to the Georgia lands ; which,

On motion by Mr. Orth,

Was laid upon the table.

The Senate again proceeded to the

ORDERS OF THE DAY,

Being Bills of the Senate on their second reading.

No. 6. A bill to exempt the county of Washington from the force and operation of the sixty-first section of the act entitled an act to provide for the continuance of the construction of all or any part of the Public Works of this State by private companies, and for abolishing the Board of Internal Improvements, and the offices of Fund Commissioners and Chief Engineer, approved January 28, 1842 ;

Which was read a second time, and,

On motion by Mr. Davis,

Was referred to a select committee, consisting of Messrs. Davis, Morrison and Malott.

No. 8. A bill to incorporate the Richmond and Williamsburgh Turnpike Company ;

Which was read a second time, and referred to the committee on corporations.

No. 9. A joint resolution in relation to the further extension of Slavery ;

Which was read a second time, and

On motion by Mr. Orth,

Referred to the committee on federal relations.

No. 10. A bill to incorporate the Columbus, Nashville and Bloomington Rail Road Company ;

Which was read a second time, and

On motion by Mr. Herod,

The bill was referred to a select committee, consisting of Messrs. Herod, Malott and Adams.

No. 11. A bill to authorize the Secretary of State to send additional copies of the laws to the county of Jay ;

Which was read a second time, and

On motion by Mr. Milligan,

The rules were suspended, and the bill considered as engrossed, and read a third time, and passed.

No. 12. A bill to fix the time of holding Courts in the 1st Judicial Circuit ;

Which was read a second time, and

On motion by Mr. Orth,

The rules were suspended, and the bill considered as engrossed, and read a third time, and passed.

No. 13. A bill to authorize the election of township assessors in the county of Jay ;

Which was read a second time and referred to the committee on Finance.

No. 15. A bill to amend an act entitled "an act to regulate foreign Insurance Agencies ;"

Which was read a second time and referred to the committee on the Judiciary.

No. 16. A bill to amend an act incorporating the Harrison, New Trenton, Rochester and Brookville Turnpike Company;

Which was read a second time and referred to the committee on corporations.

No. 17. A joint resolution in relation to Slavery in the newly acquired territories;

Which was read a second time and referred to the committee on Federal Relations.

No. 18. A bill to incorporate the Laporte Iron Manufacturing Company;

Which was read a second time and referred to the committee on Corporations.

No. 19. A bill to amend an act entitled an act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, in one act, and to amend the same: approved February 14th, 1848;

Which was read a second time, and

On motion,

Referred to the committee on Corporations.

No. 21. A bill to authorize Patsey C. Paden to sell certain real estate she inherited from her father;

Which was read a second time, and

On motion,

It was referred to the committee on the Judiciary.

No. 24. A bill repealing an act therein named;

Which was read a second time, and

On motion,

It was referred to the committee on the Judiciary.

No. 25. A bill to incorporate the Cross plains and Laughery creek Turnpike company;

Which was read a second time, and

On motion,

It was referred to the committee on Corporations.

No. 28. A bill to repeal an act entitled an act to amend an act entitled an act supplemental to an act, subjecting real and personal property to execution, approved February 11th, 1843, and to revive the thirteenth article of chapter forty of the Revised Statutes of 1843;

Which was read a second time, and

On motion,

It was referred to the committee on the Judiciary.

No. 32. A joint resolution on the subject of the extension of slavery;

Which was read a second time, and

On motion,

It was referred to the committee on Federal Relations.

On motion,

The Senate adjourned.

THURSDAY MORNING, DECEMBER 14, 1848.

The Senate met.

The journal of the preceding day was read and corrected.

Mr. Millikin, from the committee on corporations, made the following report:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate, No. 22, to incorporate a company to construct a Railroad from Evansville to connect with the Ohio and Mississippi Railroad, at or near Olney in the State of Illinois, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage.

And,

On motion by Mr. Ellis,

The bill was laid on the table.

Mr. Hamrick made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the Senate, No. 23, entitled, "An Act to incorporate the Trustees of the Green-castle Female Collegiate Seminary, have had the same under consideration, and have directed me to report the same back without amendment, and recommend its passage.

And the bill was ordered to be engrossed for a third reading.

Mr. Herod made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the bill No. 10, to incorporate the Columbus, Nashville, and Bloomington Railroad company, have had the same under consideration, and directed me to report the same back to the Senate without amendment, and recommend its passage.

Thereupon the bill was ordered to be engrossed for a third reading.

Mr. Montgomery made the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of Frederick Ritnour and others in relation to a ferry across the Wabash river at the town of Independence, have had that subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 50. A bill to authorize the establishment of a ferry across the Wabash river at the town of Independence.

Which was read a first time and passed to a second reading.

The following message was received from the House of Representatives by one of their members :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution :

Resolved, That the Senate be invited to attend instantler in the Hall of the House of Representatives for the purpose of going into the election of a United States Senator, and that seats be provided for their accommodation on the right of the Speaker's chair.

The President laid before the Senate the Annual Report of the Trustees of the Institute for the Education of the Blind ;

Which,

On motion by Mr. Cornett,

Was laid upon the table.

Mr. Cornett introduced the following resolution in relation to printing said report :

Resolved, That fifteen hundred copies of the report of the Trustees of the Institute of the Blind be printed and covered, of which five hundred copies shall be furnished to the Institute ;

Which resolution was adopted.

The Senate then repaired in a body, preceded by their President, to the Hall of the House of Representatives, and took the seats prepared for them, when both Houses of the General Assembly, as a convention, proceeded by their joint ballot to the election of a Senator for the State of Indiana to the Congress of the United States, to serve as such for the term of six years from and after the third day of March next exclusive, it being to fill the vacancy to happen by the expiration of the present term of service of the Hon. Edward A. Hannegan.

Messrs. English and Montgomery acting as tellers on the part of

the Senate, and Messrs. Dowling and Edmonston on the part of the House.

On counting the votes given on said joint ballot, it was found that :

James Whitcomb received,	-	-	-	-	75	votes.
Caleb B. Smith received,	-	-	-	-	53	"
Edward A. Hannegan received,	-	-	-	-	15	"
John Law received,	-	-	-	-	2	"
Joseph G. Marshall received,	-	-	-	-	1	"
Blank,	-	-	-	-	3	"

James Whitcomb having received a number of votes equal to a majority of all the votes given, for Senator as aforesaid, was by the President of the Senate, acting as the President of the convention, declared duly elected a Senator, for the State of Indiana, to the Congress of the United States, to serve as such for the term of six years, from and after the third day of March exclusive, in the year eighteen hundred and forty nine.

The President of the convention then declared the same adjourned *sine die* ;

And

The Senate returned to their chamber,

When

Mr. Green made the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of Frederick L. Guzard and others have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 51. A bill to amend an act to amend and reduce into one the several acts relating to the corporation of the town of Vevay, approved January 28th, 1846 ;

Which was read a first time, and

On motion by Mr. Green,

The rules were suspended, and the bill read a second time, and

On motion by Mr. Green,

The rules were further suspended, and the bill considered as engrossed, and read a third time, and passed.

Mr. Morrison introduced the following resolution :

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so changing the law, which requires one prosecutor to be elected in each county, as to require but one to be elected in each Judicial Circuit.

Which was adopted.

Mr. Coates offered the following resolution :

Resolved, That the judiciary committee be requested to inquire into the expediency of repealing the valuation or appraisement law on sales of personal property, on contracts made from and after the first of June next, with leave to report by bill or otherwise ;

Which was adopted.

JOINT RESOLUTIONS AND BILLS INTRODUCED.

Mr. Morrison introduced the following joint resolution :

No. 52. A joint resolution relative to "amendments in the Constitution ;"

Which was read a first time and passed to a second reading.

Mr. Hendricks introduced the following bill :

No. 53. A bill to incorporate the Fair Play fire Engine and Hose company of the city of Madison ;

Which was read a first time, and

On motion by Mr. Hendricks,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

Mr. Garver introduced the following bill :

No. 54. A bill to amend the Peru and Indianapolis Railroad charter ;

Which was read a first time, and

On motion by Mr. Garver,

The rules were suspended, and the bill read a second time and referred to the committee on corporations.

Mr. McCarty introduced the following bill :

No. 55. A bill to amend an act to incorporate the Fairfield Hydraulic Company ;

Which was read a first time, and

On motion by Mr. McCarty,

The rules were suspended, and the bill read a second time and referred to the committee on corporations.

ORDERS OF THE DAY.

Bills of the Senate on their third reading.

No. 4. A bill (of the House) for the relief of Walter Hilt ;

Which was read a third time and passed.

No. 10. A bill to incorporate the Columbus, Nashville, and Bloomington Railroad Company ;

And, by unanimous consent of the Senate,

Mr. Herod offered the following amendment.

Amend by adding the following :

Provided, That nothing herein contained shall authorize said Company to issue scrip.

Which amendment was adopted ;
And the bill read a third time and passed.

BILLS ON THEIR SECOND READING.

No. 36. A bill to regulate the salaries of the President Judges of the Circuit courts of this State ;

Which was read a second time ; when

Mr. Dole moved to lay the bill upon the table :

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are :

Messrs. Buckles, Cassatt, Coates, Cornett, Dole, Garver, Hamrick, Hardin, Houghton, Malott, Millikin, Montgomery, Morrison, Porter, Read, Taber, Walpole, and Waters—18.

Those who voted in the negative are :

Messrs. Adams, Conduit, Davis, Day, of Kosciusko, Day, of St. Joseph, Ellis, Evans, Graham, Harvey, Hendricks, Herod, Holloway, Hubbard, Huffstetter, James, McCarty, Orth, Osborn, Robinson, Rousseau, Sleeth, and Stewart—22.

So the bill was not laid upon the table.

On motion by Mr. Garver,

The bill was referred to the committee on finance.

Mr. Orth moved that the Senate adjourn ;

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Evans, Green, Hardin, Hendricks, Herod, Holloway, Houghton, Huffstetter, Malott, Orth, Osborn, Porter, Rousseau, Sleeth, Taber, Walpole, and Waters—27.

Those who voted in the negative are,

Messrs. Cassatt, Garver, Graham, Hamrick, Harvey, Hubbard, James, McCarty, Millikin, Montgomery, Morrison, Read, Robinson, and Stewart—14.

So the Senate adjourned.

Two o'clock, P. M.

The Senate met ;

The President of the Senate being absent,

On motion by Mr. Orth,

Mr. Holloway took the chair and called the Senate to order ;
and,

On motion by Mr. Harvey,

The Senate adjourned.

FRIDAY MORNING, DECEMBER 15, 1848.

The Senate met ;

The journal of the preceding day was read.

The President laid before the Senate the fourth annual Report of the Commissioners and Superintendents of the Hospital for the Insane ; which,

On motion by Mr. Robinson,

Was laid upon the table, and five hundred copies thereof, ordered to be printed.

Mr. Rousseau presented the petition of Martin Fitzpatrick, praying the passage of an act for his relief ;

Which was read ; and,

On motion by Mr. Rousseau,

It was referred to a select committee consisting of, Messrs. Rousseau, Randall, and Robinson.

Mr. English presented the petition of John Wilson, praying for a divorce ;

Which was read ; and,

On motion by Mr. English,

It was referred to a select committee consisting of, Messrs. English, Read, and James.

Mr. Milligan presented the petition of James Collins, praying for a divorce ; which,

On motion by Mr. Milligan,

Was referred to a select committee consisting of, Messrs. Milligan, Coates, and Hubbard.

REPORTS FROM STANDING COMMITTEES.

Mr. Henry made the following report, from the committee on the judiciary :

MR. PRESIDENT :

The committee to whom was referred a resolution of the Senate, instructing said committee to enquire into the expediency of repealing the law requiring a Prosecuting Attorney to be elected in each county, have had the same under consideration, and instructed me to report the same back to the Senate, and recommend that it is inexpedient to legislate upon the subject.

And,

On motion,

The report was concurred in.

Mr. Orth made the following report from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary, to whom was referred the petition of Milo Baldwin, praying for a divorce, have had the same under consideration, and instructed me to report that it is inexpedient to legislate on the subject matter of the petition.

Which report,

On motion,

Was concurred in.

Mr. Randall made the following report, from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary, to whom was referred Senate bill, No. 31, a bill to amend an act, entitled "an act regulating the practice of law, in the Allen circuit court, and for other purposes," approved, January 15, 1844, have, according to order, had the same under consideration, and instructed me to report the same to the Senate, without amendment, and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Robinson made the following report, from the committee on the judiciary :

Mr. President :

The judiciary committee to whom was referred bill of the Senate No. 24, repealing an act therein named, on the subject of signing bills of exceptions by the circuit court have, according to order, had the same under consideration and have directed me to report the same back to the Senate, and recommend that it be laid on the table;

Which report was concurred in, and

The bill laid upon the table.

Mr. Hubbard made the following report from the committee on the judiciary :

Mr. President :

The judiciary committee to which was referred a resolution of the the Senate instructing said committee to inquire into the expediency of repealing the valuation and appraisement law on sales of personal property, on contracts made from and after the first of June next, and also bill of the Senate No. 28 on the same subject ; have had the same under consideration, and directed me to report said bill back to the Senate with two amendments, and on the adoption of said amendments recommend its passage, and said committee ask to be discharged from any further consideration of the subject.

Amendment to the bill of Senate No. 28, referred to in report of judiciary committee :

Sec. 7. Nothing in this act contained shall be construed to repeal the third section of an act entitled "An act to require the Bank to continue specie payments, and enable it to maintain them," approved February 13th, 1843.

Second amendment :

Insert in section 8, after the figures 1849,

"And shall only extend to contracts made after said date."

Mr. Buckles moved to concur in the report, with the following amendment :

Strike out the words "one half" wherever they occur in the bill, and insert in lieu thereof the words "full appraised value," when,

On motion by Mr. Osborn,

The further consideration of the report, original bill and amendments, was postponed until Tuesday the 19th inst., at 10 o'clock, A. M.

Mr. Randall made the following report from the committee on the judiciary :

Mr. President :

The committee on the judiciary to which was referred Senate bill

No. 15, a bill to amend an act entitled "An act to regulate Foreign Insurance Agencies," approved February 16th, 1848, have, according to order, had the same under consideration, and instructed me to report the same to the Senate without amendment, and recommend its passage.

Mr. Osborn moved to concur in the report with the following amendment :

Strike out and insert so as to repeal the whole of the act aforesaid ;

Which motion was carried, and

The report concurred in with amendment, and,

On motion,

The bill was indefinitely postponed.

Mr. Sleeth made the following report from the committee on the judiciary :

Mr. President :

The committee on the judiciary to whom was referred Senate bill No. 29, entitled "A bill to give effect to the last will and testament of Jane Parker," have had the same under consideration, and instructed me to report the same back to the Senate without amendment, and respectfully recommend its passage.

Which report was concurred in, and

The bill was ordered to be engrossed for a third reading.

Mr. Orth made the following report from the committee on Corporations :

Mr. President :

The committee on Corporations to which was referred bill of the Senate No. 40, entitled, "a bill incorporating the Dayton and Frankfort Plank Road Company," have had the same under consideration, and instruct me to report the same to the Senate without amendment, and respectfully recommend its passage ;

Which report was concurred in, and,

The bill ordered to be engrossed for a third reading.

Mr. Orth made the following report from the committee on Corporations :

Mr. President :

The committee on Corporations to which was referred bill of the Senate No. 35, entitled, "a bill incorporating the Lafayette Plank Road Company," have had the same under consideration and instructed me to report the same without amendment, and respectfully recommend its passage ;

Which was concurred in, and,
The bill ordered to be engrossed for a third reading.

Mr. Millikin made the following report from the committee on Corporations :

MR. PRESIDENT :

The committee on Corporations to whom was referred bill of the Senate No. 13, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage.

Which report was concurred in, and,
The bill ordered to be engrossed for a third reading.

Mr. Hendricks made the following report from the committee on Corporations :

MR. PRESIDENT :

The committee on Corporations to whom was referred bill of the Senate No. 19, has had the same under consideration and directed me to report the same back to the Senate with the following amendments, and when adopted, to recommend its passage.

Amendments referred to in the foregoing report :

In Section 11, strike out the words "either by valuation or," and in the same section after the word "foot" insert the word "lineal."

Also add the following Sections :

SEC. . . . That in all cases where any person may refuse or neglect to furnish the list of taxable property as above required, or shall refuse to swear to the same, the Assessor shall make out a list from the best information he can get, and shall also fix a valuation on the same to the best of his judgment.

SEC. . . . That the Common Council shall have power, whenever they think best, to appoint one discreet person from each ward, or a less number, from the city at large, to equalize the value of the real estate in the city of Madison, and such equalized valuation shall be the value for the time being on which the assessment is made.

SEC. . . . That the President of the Common Council, or the person presiding over the Council while in session, shall have the power to swear witnesses with regard to any matter pertaining to the business of the Council, or which may be under consideration by the Council.

Which amendments were adopted by the Senate, and,
The report concurred in, and,
The bill as amended was ordered to be engrossed for a third reading.

Mr. Millikin made the following report from the committee on Corporations :

MR. PRESIDENT :

The committee on Corporations to whom was referred bill of the Senate No. 16, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage ;

Which report was concurred in, and,
The bill ordered to be engrossed for a third reading.

Mr. Harvey made the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations to whom was referred the bill of the Senate No. 4, entitled "a bill to incorporate the Richmond and Newport Turnpike Company," have had said bill under consideration, and instructed me to report the same back to the Senate without amendment, and recommend its passage ;

Which report was concurred in, and
The bill ordered to be engrossed for a third reading.

Mr. Garver made the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations to which was referred bill No. 54 of the Senate, entitled a bill to amend the Indianapolis and Peru Rail Road Charter, have had the same under consideration, and have directed me to report it back to the Senate with the following amendment and recommend its passage, viz :

Strike out the third section and insert the following,

SEC. 3. This act to take effect and be in force from and after its passage ;

Which report was concurred in, and the amendment adopted, and the bill ordered to be engrossed for a third reading.

Mr. Millikan from the committee on corporations made the following report :

MR. PRESIDENT :

The committee on corporations to whom was referred bill of the

Senate No. 53, have had the same under consideration and directed me to report it back to the Senate without amendment, and recommend its passage;

Which report was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Sleeth made the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 8, entitled "an act to incorporate the Richmond and Williamsburg Turnpike Company" have directed me to report it back to the Senate without amendment, and recommend its passage;

Which report was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Millikin made the following report from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate No. 18, have had the same under consideration, and directed me to report it back to the Senate, without amendment, and recommended its passage."

Which report was concurred in, and the bill ordered to a third reading.

Mr. Walpole from the committee on corporations made the following report:

Said committee recommends the passage of bill No. 55 entitled a bill to amend an act to incorporate the Fairfield Hydraulic Company;

Which report was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Morrison, chairman of the committee on finance, submitted the following report:

MR. PRESIDENT:

The committee on finance to whom was referred bill of the Senate No. 13, entitled "a bill to authorize the election of township assessors in the county of Jay," have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend its passage;

Which report was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Morrison made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the Senate No. 6, have had the same under consideration, and have directed me to report the same back to the Senate, with one amendment, and recommend its passage.

Add the following proviso to the first section,

"Provided, however, this act shall not be so construed as to release or in any way affect any subscription made, or any contract entered into by said county previous to this time."

Which report was concurred in, and the amendment adopted, and the bill as amended ordered to be engrossed for a third reading.

Mr. Taber from a select committee made the following report:

MR. PRESIDENT:

The select committee to whom was referred the petition of Emeline Grubb, have had the same under consideration and directed me to report the accompanying bill and recommend its passage:

And the bill

No. 56. A bill to change the name of Emeline Grubb;

Was read a first time and passed to a second reading.

Mr. Buekles made the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of John Jack and others in reference to a school section in Delaware county, having had the same under consideration, have directed me to report the following bill, and recommend its passage:

And the bill,

No. 57. A bill to legalize the sale of a certain school section therein named;

Was read a first time and passed to a second reading.

Mr. Montgomery offered the following resolution:

Resolved, That the Auditor and Treasurer be and they are hereby required to inform the Senate, at the earliest period practicable, if they have negotiated a loan with the officers of the State Bank of Indiana, to meet the January instalment of interest under the "State debt act," and if so, by what authority said loan has been negotiated.

The question being on the adoption of the resolution,

Mr. Robinson offered the following amendment to the resolution :

And said Auditor and Treasurer be and are hereby instructed not to contract any loan as aforesaid, unless first authorized by law. And the Trustees of the Wabash and Erie Canal be and they are hereby requested to make report to this Senate at an early day; and that no loan will be authorized for the payment of interest until the Trustees make a full report to the Senate of their proceedings since January 1848.

The question being upon the adoption of the amendment :

Mr. Robinson offered the following amendment to the amendment:

Amend further, by inserting the following,

And by what authority the loan was affected and the faith of the State pledged for the payment of the interest due on the first of July 1848;

Which amendment, to the amendment, was adopted, and the amendment, as amended, was adopted.

The question again recurring on the adoption of the resolution, as amended,

It was adopted.

Mr. Conduit offered the following resolution :

Resolved, That so much of the Auditor's annual report as refers to the privilege of the State to take additional shares of the stock of the Madison and Indianapolis Rail Road Company, be referred to the committee on finance, with leave to report by bill or otherwise;

Which resolution was adopted, and

On motion,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Orth moved a call of the Senate,
Which was ordered.

The call having been gone through with,

On motion,
The further call was suspended.

Mr. Miller offered the following resolution :

Resolved, That five hundred copies of the Governor's Message be printed by the State Printer, or procured to be done by him, in Ger-

man, for the use of the Senate, provided that it can be done in two weeks, said Messages, if printed, to be equally distributed among the Senators.

Which resolution was adopted.

Mr. Walpole offered the following resolution :

Resolved, That the Superintendent of the Northern Division of the Central Canal be requested to report to the Senate the present condition of the Central Canal under the control of said officer; also report to whom the hydraulic power of said canal is rented, at what rates, and times of payment; how much, if any of said rent, remains unpaid, and from whom: Also report what sums, if any, remains due contractors and laborers in the repair of said canal, and the amount due each.

Resolved, That the Secretary of the Senate cause a copy of the foregoing resolution to be delivered to said Superintendent.

Which resolution was adopted.

Mr. Walpole offered the following resolution :

Resolved, That the committee on canals and internal improvements be instructed to inquire into and report what amendments, if any, are necessary to the law to more effectually compel the lessees of water power on the northern division of the Central Canal to pay the rent due the State for the use of water power at Indianapolis or elsewhere on said canal.

Which resolution was adopted.

JOINT RESOLUTIONS AND BILLS INTRODUCED.

Mr. Henry introduced the following joint resolution :

No. 58. A joint resolution in relation to the right of way for a railway in Illinois;

Which was read a first time, and,

On motion by Mr. Henry,

The rules were suspended, and the joint resolution was read a second time, and ordered to be engrossed for a third reading.

Mr. Ellis introduced the following joint resolution :

No. 59. A joint resolution relative to the right of way of the Ohio and Mississippi Railroad in Illinois;

Which was read a first time, and,

On motion by Mr. Ellis,

The rules were suspended, and the joint resolution read a second time, and ordered to be engrossed for a third reading.

Mr. Morrison introduced the following bill :

No. 60. A bill to provide for taking the sense of the qualified voters of this State on the calling of a convention to alter, revise, and amend the constitution of this State;

Which was read a first time and passed to a second reading.

Mr. Walpole introduced the following bill :

No. 61. A bill explanatory of the "Act prescribing the manner of assessing and paying taxes due upon the stock of individuals in the Madison and Indianapolis Railroad Company," approved Feb. 16, 1848;

Which was read a first time, and,

On motion by Mr. Walpole,

The rules were suspended, and the bill read a second time, and referred to the committee on finance.

Mr. Herod introduced the following bill:

No. 62. A bill to legalize the location of a certain State road therein named;

Which was read a first time, and,

On motion by Mr. Herod,

The rules were suspended, and the bill read a second time; and,

On motion by Mr. Herod,

The rules were further suspended, and the bill considered as engrossed, read a third time, and passed.

Mr. Robinson introduced the following bill:

No. 63. A bill to amend the several acts now in force incorporating the town of Greensburg;

Which was read a first time, and,

On motion by Mr. Robinson,

The rules were suspended, and the bill read a second time and ordered to be engrossed for a third reading.

Mr. Martin introduced the following bill:

No. 64. A bill in relation to the highway tax in Lagrange county;

Which was read a first time and passed to a second reading.

Mr. McCarty introduced the following bill:

No. 65. A bill to incorporate the Brookville and Fairfield Turnpike Company;

Which was read a first time, and,

On motion by Mr. McCarty,

The rules were suspended, and the bill read a second time and referred to the committee on corporations.

Mr. Walpole introduced the following bill:

No. 66. A bill conferring power on citizens of incorporated cities, towns, boroughs, and villages to cause suits to be instituted on by-laws and ordinances of such cities, towns, boroughs, and villages;

Which was read a first time, and,

On motion by Mr. Walpole,

The rules were suspended, and the bill read a second time and referred to the committee on the judiciary.

Mr. James introduced the following bill:

No. 67. A bill to repeal a part of article 7 of chapter 45 of the Revised Statutes of 1843;

Which was read a first time, and,

On motion by Mr. James,

The rules were suspended, and the bill read a second time and referred to the committee on the judiciary.

Mr. Davis introduced the following bill:

No. 68. A bill to amend article 11 of chapter 12 of the Revised Statutes of 1843;

Which was read a first time, and,

On motion by Mr. Davis,

The rules were suspended, and the bill read a second time and referred to the committee on the judiciary.

Mr. Sleeth introduced the following bill:

No. 69. A bill to incorporate the United Protestant Evangelical Congregation of the St. Zion Church, Union township, Shelby county, Indiana;

Which was read a first time; and,

On motion by Mr. Sleeth,

The rules were suspended, the bill read a third time, and referred to the committee on corporations.

Mr. McCarty introduced the following bill:

No. 70. A bill declaring the meaning of the 10th section of an act approved January 13, 1845;

Which was read a first time; and,

On motion by Mr. McCarty,

The rules were suspended and the bill read a second time and referred to the committee on the judiciary.

On motion by Mr. Waters,

The previous order of business was suspended, and leave granted him to introduce the following resolution:

Resolved, That the Senate will, the House of Representatives concurring therein, adjourn *sine die*, on Monday, the 15th day of January, 1849.

The question being upon the adoption of the resolution,

Mr. Hardin moved to lay the same on the table;

And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Dole, English, Garver, Hardin, Henry, Herod, Huffstetter, Milligan, Miller, Montgomery, Porter, Randall, Robinson, Rousseau, Sleeth, and Stewart—18.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coats, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Ellis, Evans, Hamrick, Harvey, Holloway, Houghton, Hubbard, James, Malott, Martin, McCarty, Millikin, Morrison, Orth, Osborn, Read, Taber, Walpole, and Waters—

So the Senate refused to lay the resolution on the table.

The question then recurring on the adoption of the resolution,

Mr. Hubbard moved to amend as follows :

Strike out "15th" and insert "8th ;"

The question being upon the adoption of the amendment, and the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Coats, Conduit, Cornett, Davis, Day, of Kosciusko, Ellis, English, Garver, Hamrick, Harvey, Henry, Herod, Holloway, Hubbard, Malott, Martin, McCarty, Millikin, Milligan, Orth, Osborn, Randall, Read, Rousseau, Sleeth, Stewart, Taber and Waters—31.

Those who voted in the negative are,

Messrs. Adams, Day, of St. Joseph, Dole, Evans, Hardin, Houghton, Huffstetter, James, Miller, Montgomery, Morrison, Porter, Robinson, and Walpole—14.

So the amendment was adopted.

The question then being on the adoption of the resolution, as amended,

Mr. Robinson moved to lay the same upon the table ;

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Day, of Kosciusko, Day, of St. Joseph, Dole, English, Evans, Garver, Hardin, Henry, Herod, Huffstetter, James, Miller, Montgomery, Morrison, Porter, Randall, Robinson, Rousseau, Sleeth, and Stewart—23.

Those who voted in the negative are,

Messrs. Cassatt, Coats, Conduit, Cornett, Davis, Ellis, Hamrick, Harvey, Holloway, Houghton, Hubbard, Malott, Martin, McCarty, Millikin, Milligan, Orth, Osborn, Read, Taber, and Waters—21.

So the resolution as amended, was laid upon the table.

Mr. Stewart gave notice that on to-morrow he would introduce the following resolution :

Resolved, That the orders of the day shall be taken up every day at two o'clock, unless otherwise ordered by two-thirds of the Senate.

Mr. Montgomery moved to suspend the previous order of business,

And take up messages from the House of Representatives.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 27. An act to amend an act entitled "An act for the relief of certain persons therein named," approved February 16th, 1848 ;

In which the concurrence of the Senate is respectfully requested. Which bill contained in the message,

No. 27. A bill to amend an act entitled an act for the relief of certain persons therein named, approved February 16th, 1848 ;

Was read a first time, and passed to a second reading.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 64. An act more effectually to provide for the security of school funds ;

In which the concurrence of the Senate is respectfully requested.

Which bill contained in the message,

No. 64. A bill more effectually to provide for the security of school funds ;

Was read a first time, and

On motion by Mr. Montgomery,

The rules were suspended, and the bill read a second time, and

On motion by Mr. Montgomery,

The rules were further suspended, and the bill read a third time and passed.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill and joint resolution thereof :

No. 20. An act for the relief of Isaac Hardy and others ;

No. 25. A joint resolution in relation to the postage on newspapers and other documents ;

In which the concurrence of the Senate is respectfully requested.
And the bill contained in the message,

No. 20. A bill for the relief of Isaac Hardy and others ;
Was read a first time, and passed to a second reading.

Also,

The joint resolution contained in the message ; entitled,

No. 25. A joint resolution in relation to the postage on newspapers and other documents ;

Was read a first time, and

On motion,

The rules were suspended, and the joint resolution was read a second time, and

Ordered to a third reading.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills and joint resolutions thereof :

No. 13. An act to change the name of Mary Maranda Landrum ;

No. 17. A joint resolution in relation to the existing post office laws ;

No. 22. A joint resolution in relation to the second and third Regiments of Indiana Volunteers ;

No. 24. An act to change the name of Isaac Plum Prickett ;

In which the concurrence of the Senate is respectfully requested.
And the bill contained in the message, entitled

No. 13. A bill to change the name of Mary Maranda Landrum ;

Was read a first time, and passed to a second reading.

And the joint resolution contained in the message, entitled

No. 17. A joint resolution in relation to the existing Post Office laws ;

Was read a first time, and passed to a second reading.

And the joint-resolution contained in the message, entitled,

No. 22. A joint-resolution relative to the second and third Regiments of Indiana volunteers ;

Was read a first time ; and,

On motion,

The rules were suspended and the joint-resolution read a second time and referred to the committee on military affairs.

Also the bill contained in the message, entitled,

No. 24. A bill to change the name of Isaac Plum Prickett ;

Was read a first time ; and,

On motion,

The rules were suspended and the bill was read a second time, and ordered to a third reading.

ORDERS OF THE DAY.

Bills of the Senate on their Third Reading.

No. 23. A bill to incorporate the trustees of the Greencastle Female Collegiate Seminary ;

Which was read a third time and passed.

No. 42. A bill defining the duties of county Treasurers in the counties of Laporte, Porter, Tippecanoe, Jefferson, Lagrange, Marion, Steuben, Cass, Pulaski, Henry, Elkhart, DeKalb, Noble, Rush, Carrol, Clinton, Hamilton, Warrick, Fountain, Madison, and Hancock ;

Which was read a third time and passed.

Mr. Buckles moved to take from the table,

No. 24. A bill repealing an act therein named ;

Which was taken by consent, and the bill referred to a select committee consisting of,

Messrs. Buckles, Evans, and Milligan.

Mr. Cassatt introduced the following resolution :

Resolved, That his Excellency the Governor be requested to inform the Senate, whether a joint-resolution, declaratory of the meaning of "an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal," which passed the legislature during the session of 1847-8, ever came to his hands, and if so, that he be respectfully requested to return the same to this Senate.

The question being upon the adoption of the resolution,

Mr. Coats offered the following amendment :

Amend by inserting the following :

And be it further Resolved, That the journals of the Senate show the passage and presentation of the following bill of the Senate, entitled, "an act to authorize the superintendant of the Wabash and Erie canal, to pay such equitable claims as counties and individuals may have for surveying and locating the canal from Tippecanoe to Terre Haute," approved January 25, 1847.

And be it further Resolved, That his Excellency be requested to return the same ;

Which amendment was adopted, and the resolution as amended was also adopted.

BILLS OF THE SENATE ON THEIR SECOND READING.

No. 37. A bill to regulate trials by jury in civil causes, as to make the decision of the majority the verdict of the jury ;

Which was read a second time ; and,

On motion by Mr. Cornett,

Referred to the committee on the judiciary.

No. 39. A bill to amend Section 60, of Chapter 38, of the Revised Laws of 1843 ;

Which was read a second time ; and,

On motion,

Referred to the committee on the judiciary.

No. 41. A bill to amend the law relative to costs in appeals from justices of the peace ;

Which was read a second time, and referred to the committee on the judiciary.

No. 43. A bill to amend the statute regulating the granting of divorces ;

Which was read a second time, and referred to the committee on the judiciary.

No. 44. A bill to compel the venders of patent medicines, to publish a label stating the materials of which the medicine is composed ;

Which was read a second time, and referred to a select committee consisting of,

Messrs. Hubbard, Montgomery, Cornett, Millikin, and Milligan.

Whereupon Mr. Cassatt offered the following instructions :

That said committee be instructed to add the following section to the bill :

SEC. . And that all physicians shall, before administering any dose of medicine, deliver to the patient a written statement describing the nature of the medicine so offered to be given, its probable effects, whether it contains any poisonous matters, if so, what they are, how long it will take to produce death, and what the charge will be for the same ;

Which instructions were adopted.

No. 45. A bill authorising David Moss to sell certain stone in Hamilton county ;

Which was read a second time, and referred to a select committee consisting of,

Messrs. Garver, Stewart, and Walpole.

No. 48. A bill authorizing the construction of Plank roads ;

Which was read a second time, and referred to the committee on corporations.

No. 50. A bill to authorize the establishment of a ferry across the Wabash river, at the town of Independence ;

Which was read a second time, and ordered to be engrossed for a third reading.

No. 52. A joint-resolution relative to amendments to the Constitution ;

Which was read a secone time, and referred to the committee on federal relations.

On motion,

The Senate adjourned.

SATURDAY MORNING, Dec. 16, 1848.

The Senate met ;

The journal of the preceding day was read.

The President laid before the Senate, the annual Report of the Trustees of the Indiana University ; which,

On motion by Mr. Adams,

Was laid upon the table, and five hundred copies ordered to be printed.

On leave granted,

Mr. Houghton introduced the following resolution :

Resolved, That the Auditor of State be requested to transmit to the Senate, without delay, the report of the Superintendent of the New Albany and Vincennes road ;

Which resolution was adopted.

Mr. Cornett presented the petition of James Vawter, praying for relief ; which,

On motion by Mr. Cornett,

Was referred to the committee on claims.

Mr. Ellis presented the petition of the Board of County Commissioners of Knox county, in regard to the inspection of salt, and also, asking leave to sit more than five days, at their March and June session ; which,

On motion by Mr. Ellis,

Was referred to a select committee consisting of,

Messrs. Ellis, Houghton, and Davis.

The President laid before the Senate, the following communication from the Auditor and Treasurer of State :

TREASURY DEPARTMENT, {
December 15, 1848.

The following resolution, adopted by the Senate, to-day, has been received, viz.:

“Resolved, That the Auditor and Treasurer of State be, and they are required hereby, to inform the Senate, at the earliest period practicable, if they have negotiated a loan with the officers of the State Bank of Indiana, to meet the January instalment of interest under the State Debt Act; and if so, by what authority said loan has been negotiated.

“And that said Auditor and Treasurer be, and they are hereby instructed, not to contract any loan as aforesaid, unless first authorized by law, and they are requested to state by what authority the loan was effected, and the faith of the State pledged for the payment of the same for the payment of the interest due on the first of July, 1848.”

In response to the first branch of the resolution, we respectfully state that no arrangement has been consummated with the State Bank of Indiana, for the money necessary to meet the January installment of interest on the State Debt Act. All that we have done is to take preliminary measures to make the loan when it shall be authorized by the Legislature. This was done for the purpose of expediting the arrangement, and in case the proper authority shall be granted, to complete it in time to answer the purpose designed. We have ascertained that the requisite amount can be obtained from the Sinking Fund and the Branches of the State Bank, but the loans will not be consummated until there shall be authority granted by the General Assembly. The preliminary arrangements were deemed prudent, on account of the very short time remaining before the instalment of interest will be payable.

In relation to the latter clause of the resolution, requesting us to state by what authority the loan was effected, and the faith of the State pledged for the payment of the July interest, we reply that there was no direct authority for the negotiation of the loan that was obtained. The Legislature, during the last session, authorized the Governor, Auditor, and Treasurer of State, to negotiate a loan for the payment of the interest that fell due on the first of January last. No action was taken by the Legislature, in relation to the July interest, and it could not at that time be known how much, if any would be needed. At the time when if the July interest was to be paid, it was necessary to make the arrangement for that purpose, it was ascertained that considerably over one-half the amount requisite to meet that instalment, was in the Treasury, after estimating for and selling apart, a sufficiency to meet the ordinary demands upon the Treasury. It was with considerable reluctance we, in conjunction with His Excellency, the Governor, took the

measures necessary to procure the loan, and nothing but the full belief that economy and sound policy concurred in recommending the measure, as well as the confidence that, under all the circumstances, it would receive the sanction of the Legislature, could have influenced us to take the step without authority, which at that time it was impossible to obtain.

Respectfully submitted,

D. MAGUIRE,
Auditor of State.
SAMUEL HANNA,
Treasurer of State.

Which,

On motion,

Was laid upon the table.

Mr. Millikin made the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 25, have directed me to report the same back to the Senate, without amendment, and recommend its passage.

The report was concurred in, and the bill entitled,

No. 25. A bill to incorporate the Cross plains and Laughery Turnpike Company ;

Was ordered to be engrossed for a third reading.

On motion by Mr. Ellis,

No. 22. A bill (Senate) to incorporate a company to construct a Rail Road from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Rail Road, at or near Olney, in the State of Illinois, via Pinceton, Gibson county, Indiana, and Mt. Carmel, Illinois ;

Was taken from the table and ordered to be engrossed for a third reading.

Mr. Davis introduced the following resolution :

Resolved, That the committee on the judiciary, be instructed to enquire whether the bondholders of the State, under the funded debt arrangement, have violated the contract between the State and themselves, and if so, said committee are hereby instructed to report the fact to the Senate, and also what measures, if any are necessary, to compel a strict compliance with the terms of said contract by said bondholders and their agents. Said committee to make report at as early a day as practicable ;

Which resolution was adopted.

Mr. Davis introduced the following resolution :

Resolved, That the committee on finance, be instructed to report

a bill as soon possible, authorizing the Governor to effect a loan of the necessary sum of money to meet the January instalment of the interest upon the State debt, under the funded debt arrangement. Said bill to contain all the proper restrictions and limitations ;

The question being upon the adoption of the resolution,
Mr. Montgomery proposed the following amendment :

Add after the word "instructed," the words "to inquire into the expediency."

The question being upon the adoption of the amendment,
Mr. Cassatt offered the following amendment to the amendment :
Add the following :

Provided, That there has been no violation of the contract on the part of the Trustees of the Wabash and Erie Canal.

The question being upon the adoption of the amendment to the amendment, and before the question was taken,

On motion by Mr. Orth,
The Senate adjourned.

Two o'clock, P. M.

The Senate met ; when,

On motion by Mr. Davis,

The resolution and pending amendments under consideration at the adjournment, were laid upon the table.

The President laid before the Senate the report of the Superintendent of the New Albany and Vincennes road ; which,

On motion by Mr. Houghton,

Was laid upon the table, and two hundred copies thereof, ordered to be printed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 81. An act amendatory of an act entitled "An act to incorporate the Hagerstown Canal Company," approved February 15th, 1841 ;

In which the concurrence of the Senate is respectfully requested. And the bill contained in the message, entitled

No. 81. A bill amendatory to an act to incorporate the Hagerstown Canal Company, approved February 15th, 1841 ;

Was read a first time, and

On motion by Mr. Holloway,

The rules were suspended, and the bill read a second time, and

On motion by Mr. Holloway,

The rules were further suspended, and the bill read a third time and passed.

Mr. Hamrick, from the committee on enrolled bills, made the following report :

MR. PRESIDENT :

The committee on enrolled bills have compared enrolled bill of the Senate No. 1, with the engrossed, and find it correctly enrolled.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills of the House, to-wit :

No. 4. An act for the relief of Walter Hilt ;

No. 64. An act more effectually to provide for the security of the School Funds ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Waters asked and obtained leave to introduce a petition from the County Commissioners of Carroll county, in relation to a certain State road therein named ;

Which was read, and

Referred to the committee on Canals and Internal Improvements.

RESOLUTIONS INTRODUCED.

By Mr. Cassatt,

Resolved, That the committee on unfinished business be instructed to report to this Senate a bill entitled an "Act to compel the Trustees of the Wabash and Erie Canal to allow interest on Canal Land Scrip ;" together with the reasons of his Excellency for withholding his signature to the same ;

Which resolution was adopted,

By Mr. Read,

Resolved, That the committee on finance be instructed to inquire into the expediency of introducing a joint resolution making provisions (if agreeable to our Bondholders) changing the time of payment of the semi-annual interest to said Bondholders, so as to suit the revenue of this State;

Which was adopted.

By Mr. Morrison,

Resolved, That the Treasurer and Auditor of State be requested to report to the Senate, with as little delay as practicable, the amount of the expenses which were incurred in negotiating the loan authorized by the law of last Winter to pay the January interest then due on the State Debt: Also, the probable expense that will be necessarily incurred, if the certificates which are provided for in the State Debt bill be issued, when the funds in the Treasury shall not be sufficient to pay the interest as it becomes due: Also, the amount, if any, that it will be necessary to borrow next July, and January thereafter, to meet the deficiency in the revenue that may exist at those periods;

Which resolution was adopted.

By Mr. Adams,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so changing the law as to authorize County Surveyors to be elected, by the qualified voters of each county, instead of being appointed by the boards doing county business, as at present provided;

Which resolution was adopted.

By Mr. Walpole,

Be it Resolved, That the bill entitled a bill to incorporate the Lafayette Plank Road Company, be recommitted to the committee on canals and internal improvements, and said committee be instructed to inquire and report to the Senate the present condition of the road in said bill (proposed to be) surrendered, the amount of money expended by the State in the improvement of said road, the probable cost of constructing a plank road as by said bill proposed; and also to inquire and report if the interest of the State does not require the General Assembly to so amend said bill, as to require of the company proposed by said bill to pay the State in stock in said company, as a bonus, for the right of way and the large amount expended by the State in the improvement of said road; also, to inquire and report if the tariff of tolls, as provided in said bill is not excessive, and should be reduced, and if so to report the reduction, and to make report on or before Wednesday next;

Which resolution was adopted, and the bill recommitted to the committee on canals and internal improvements.

By Mr. English,

Resolved, That a committee to consist of one member from each Congressional District be appointed with instructions to inquire into the expediency of a law abolishing, as far as the same can be made practicable, the liability of securities in all personal contracts hereafter created;

Which was adopted.

Mr. Stewart, in accordance with the notice given on yesterday, offered the following resolution:

Resolved, That the orders of the day shall be taken up every day at two o'clock, unless otherwise ordered by two-thirds of the Senate;

The question being upon the adoption of the resolution,

Mr. Harvey moved to amend by striking out the words, two-thirds;

Which amendment was adopted, and thereupon,

The resolution as amended was adopted.

The following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bill of the Senate:

No. 1. An act to authorize Robert Blessington to file a bill for a Divorce at the January Special Term, 1849, of the Dearborn Circuit Court;

Which I am directed to bring to the Senate for the signature of the President thereof.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

By Mr. Dole,

No. 71. A bill to authorize the Governor, Auditor and Treasurer of State, to borrow a sum of money not exceeding ninety-five thousand dollars, to pay the interest on the Funded Debt on the first day of January, 1849;

Which was read a first time, and

On motion by Mr. Dole,

The rules were suspended, the bill read a second time, and

Referred to the committee on finance, with instructions to report on Monday next.

By Mr. Beard,

No. 72. A bill to amend an Act entitled, "An Act to incorporate the Crawfordville and Wabash Railroad Company," approved 19th January, 1846;

Which was read a first time, and,

On motion by Mr. Beard,

The rules were suspended, and the bill read a second time, and,

On motion by Mr. Beard,

The rules were further suspended, and the bill considered as engrossed, read a third time, and passed.

By Mr. Osborn,

No. 73. A bill relative to the sale of school lands in Laporte county, and to amend article 13, chapter 13, of Revised Statutes of 1843 ;

Which was read a first time and passed to a second reading.

By Mr. Osborn,

No. 74. A bill to repeal section 3, chapter 28, of Revised Statutes of 1843 ;

Which was read a first time and passed to a second reading.

By Mr. Hendricks,

No. 75. A bill to incorporate the General Associations of Baptists in Indiana ;

Which was read a first time and passed to a second reading.

By Mr. Walpole,

No. 76. A bill to define the jurisdiction of justices of the peace in the several counties therein named ;

Which was read a first time, and,

On motion by Mr. Walpole,

The rules were suspended, and the bill read a second time.

The bill being open to amendment, commitment, or engrossment, Mr. Milligan moved to amend by adding "the county of Randolph ;"

Which amendment was adopted.

Mr. Waters moved further to amend by adding "the counties of Carroll and Clinton ;"

Which was adopted.

Mr. Buckles moved further to amend by adding "the county of Delaware ;"

Which amendment was adopted.

Mr. Houghton moved further to amend by adding "the counties of Daviess and Martin ;"

Which amendment was adopted.

Mr. Sleeth moved further to amend by adding "the county of Shelby ;"

Which amendment was adopted.

Mr. Walpole moved further to amend by adding,

SEC. 2. The said justices of the peace in said counties shall, on complaint under oath, or on view, take jurisdiction of all such offences ;

Which amendment was adopted, and,

On motion by Mr. Walpole,

The rules were further suspended, and the bill considered as engrossed, read a thire time, and passed.

On motion by Mr. English,

The previous order of business was suspended, and leave granted him to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of John Wilson praying for the passage of an act divorcing him from his wife Sarah Wilson, have had that subject under consideration, and have directed me to report the following bill and recommend its passage :

No. 77. A bill for the relief of John and Sarah Wilson ;

Which was read a first time and passed to a second reading.

Mr. Orth introduced the following bill :

No. 78. A bill for the relief of William Armstrong ;

Which was read a first time, and,

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time and referred to the committee on the judiciary, with the accompanying papers.

Mr. Montgomery introduced the following bill :

No. 79. A bill to provide for the enforcement of the State Debt Act and the Act supplemental thereto ;

Which was read a first time, and,

On motion by Mr. Montgomery,

The rules were suspended, and the bill was read a second time, Whereupon,

Mr. Cassatt offered the following amendment :

Add in the proper place in the bill the following words—

"And appraise the canal land east of Tippecanoe ;"

Which amendment was adopted,

And the bill, as amended, was referred to the committee on the judiciary, with instructions to report the same back to the Senate on or before Tuesday morning next.

On motion by Mr. Harvey,

Leave of absence was granted to Mr. Conduit until Tuesday morning next.

ORDERS OF THE DAY.

Bills on their Third reading.

No. 6. A bill to exempt the county of Washington from the force and operation of the 61st section of the act, entitled "An act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the Board of Internal Improvements and the offices of

Fund Commissioner and Chief Engineer," approved January 28, 1842;

Which was read a third time and passed.

No. 4. A bill to incorporate the Richmond and Newport Turnpike Company;

Which was read a third time and passed.

No. 8. A bill to incorporate the Richmond and Williamsburg Turnpike Company;

Which was read a third time and passed.

No. 13. A bill to authorize the election of township assessors in the county of Jay;

Which was read a third time and passed.

No. 16. A bill to amend the act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company;

Which was read a third time and passed.

No. 18. A bill to incorporate the Laporte Iron Manufacturing Company;

Which was read a third time and passed.

No. 19. A bill to amend an act, entitled "An act to reduce the law incorporating the city of Madison and the several acts amendatory thereto, into one act, and to amend the same," approved February 14, 1848;

Which was read a third time and passed.

No. 24. A bill (of the House) to change the name of Isaac Plum Prickett;

Which was read a third time and passed.

No. 25. A joint resolution (of the House) in relation to the postage on newspapers and other documents;

Which was read a third time and passed.

No. 29. A bill to give effect to the last will and testament of Jane Parker;

Which was read a third time and passed.

No. 31. A bill to amend an act, entitled "An act regulating the practice of law in the Allen circuit court, and for other purposes," approved January 15, 1844;

Which was read a third time and passed.

No. 40. A bill incorporating the Dayton and Frankfort Plank Road Company;

Which was read a third time and passed.

No. 47. A bill to incorporate the Lima Band;

Which was read a third time and passed.

No. 50. A bill to authorize the establishment of a Ferry across the Wabash River at the town of Independence;

Which was read a third time and passed.

No. 53. A bill to incorporate the Fair Play Fire Engine and Hose Company of the City of Madison;

Which was read a third time and passed.

No. 54. A bill to amend the Peru and Indianapolis Railroad Charter;

Which was read a third time and passed.

No. 55. A bill to amend an act to incorporate the Fairfield Hydraulic Company;

Which was read a third time and passed.

No. 58. A joint resolution relative to the right of way for a Railway in Illinois;

Which was read a third time and passed.

No. 59. A joint resolution relative to the right of way of the Ohio and Mississippi Railroad in Illinois;

Which was read a third time and passed.

No. 63. A bill to amend the several acts now in force incorporating the town of Greensburg;

Which was read a third time and passed.

BILLS AND JOINT RESOLUTIONS ON THEIR SECOND READING.

No. 17. A joint resolution (of the House) in relation to the existing post office laws;

Which was read a first time, and,

On motion by Mr. Walpole,
The rules were suspended, and the bill read a second time, when Mr. Walpole offered the following amendment:

Amend by adding the following words—

"Also, for a general reduction of postage;"

The question being on the adoption of the amendment,

Mr. Stewart offered the following amendment to the amendment:

Insert the following—

"And repeal the law giving to members of Congress the franking privilege;"

When,

On motion,

The joint resolution and pending amendments were referred to the committee on federal relations.

On motion,

The Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, DEC. 18, 1848.

The Senate met pursuant to adjournment.

The journal of Saturday was read.

On motion by Mr. Taber,

The previous order of business was suspended, and leave granted him to introduce the following bill :

No. 80. A bill to amend an act to revive an act to incorporate the city of Logansport ; approved January 13th, 1845 ;

Which was read a first time ; and,

On motion by Mr. Taber,

The rules were suspended, and the bill read a second time ; and,

On motion by Mr. Taber,

The rules were further suspended and the bill was considered as engrossed, and read a third time and passed.

The President announced the following committee on the resolution of the Senate, providing for the appointment of a committee to enquire into the expediency of abolishing personal security :

Mr. English from the 2nd district.

Mr. Porter, from the 1st district.

Mr. Millikin, from the 3rd district.

Mr. Holloway, from the 4th district.

Mr. Sleeth, from the 5th district.

Mr. Rousseau, from the 6th district.

Mr. Hamrick, from the 7th district.

Mr. Montgomery, from the 8th district.

Mr. Osborn, from the 9th district.

Mr. Randall, from the 10th district.

PETITIONS PRESENTED.

By Mr. Rousseau,

The petition of Ionia E. Owen and others, asking for authority to build a certain mill dam ; and,

On motion by Mr. Rousseau,

Was referred to a select committee consisting of, Messrs. Rousseau, Robinson, and Millikin.

By Mr. Coates,

The petition of Joseph Glascock and others, praying an act of incorporation of a company for the detection of thieves ;

Which was read ; and,

On motion by Mr. Coates,

Was referred to the committee on corporations.

By Mr. Garver,

The petition of Jesse Lutz and others, praying for the passage of an act to increase the salary of the auditor of Hamilton county ; Which was read ; and,

On motion by Mr. Garver,

Was referred to a select committee consisting of, Messrs. Garver, Stewart, and Randall.

Mr. Holloway made the following report from the committee on elections :

MR. PRESIDENT :

The committee on elections to which was referred bill No. 3, of the Senate, entitled, "a bill to provide for the election of United States Senator by a viva voce vote," have had the same under consideration and have directed me to report it back to the Senate, and recommend its indefinite postponement ;

Which report was concurred in, and the bill indefinitely postponed.

Mr. Millikin from the committee on corporations, made the following report :

MR. PRESIDENT :

The committee on corporations to whom was referred bill of the Senate No. 65, have had the same under consideration, and directed me to report it back to the Senate without amendment, and recommend its passage ;

Which was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Hubbard from the committee on corporations, made the following report :

MR. PRESIDENT :

The committee on corporations to which was referred bill of the Senate No. 48, entitled a bill authorizing the construction of Plank roads, have had the same under advisement and directed me to report the same back to the Senate with two amendments, and when said amendments are adopted, to recommend its passage.

Amendments to bill of the Senate No. 48, referred to in the report of the committee on corporations :

1st. Add to Section 5, the following : "by obtaining the consent of the proper Probate court thereto."

2nd. Add after the word lands, where the same occurs in line 4 Section 9, the following : "except that such jury shall not take into

consideration the advantages of the road to the owner of such materials."

Which amendments were adopted, and the report of the committee concurred in ; and,

On motion,

The bill entitled,

No. 48. A bill authorizing the construction of Plank roads ;
Was ordered to be engrossed for a third reading.

RESOLUTIONS INTRODUCED.

By Mr. Martin,

Resolved, That the committee on Finance be instructed to report a bill providing for the leasing of the water power belonging to the State, at the North Port feeder dam, in Noble county ;

Which was adopted.

By Mr. Robinson,

Resolved, That the judiciary committee be instructed to enquire into the expediency of re-organizing the Probate system, and if said committee should be of opinion that said change should be made, then and in that case, said committee is instructed to report a bill making such change as they may think proper and necessary ;

Which was adopted.

BILLS INTRODUCED.

By Mr. Hendricks,

No. 81. A bill to incorporate the Madison Marine Insurance Company ;

Which was read a first time ; and,

On motion by Mr. Hendricks,

The rules were suspended and the bill was read a second time, and referred to the committee on corporations.

By Mr. Holloway,

No. 82. A bill to incorporate the Richmond Bridge and Turnpike Company ;

Which was read a first time ; and

On motion by Mr. Holloway,

The rules were suspended and the bill read a second time ; and,

On motion,

Referred to the committee on corporations.

By Mr. Hendricks,

No. 83. A bill to regulate the jurisdiction of Justices of the Peace ;

Which was read a first time ; and,

On motion by Mr. Hendricks,

The rules were suspended and the bill read a second time ; and,

On motion,

The bill was referred to the committee on the judiciary.

By Mr. Graham,

No. 84. A bill to incorporate the Rockport and Washington rail road company ;

Which was read a first time ; and,

On motion by Mr. Graham,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

By Mr. Garver,

No. 85. A bill for the relief of Lavina Whisler ;

Which was read a first time ; and,

On motion by Mr. Garver,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

By Mr. Davis,

No. 86. A bill in relation to the New Albany and Salem Rail Road Company ;

Which was read a first time ; and,

On motion by Mr. Davis,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

By Mr. Osborn,

No. 87. A bill to amend an act entitled an act, to authorize the construction of Plank or Coal Roads, approved, Feb. 16, 1848 ;

Which was read a first time ; and,

On motion by Mr. Osborn,

The rules were suspended and the bill read a second time and referred to the committee on corporations.

ORDERS OF THE DAY.

Bills of the Senate on their third reading.

No. 22. A bill to incorporate a company to construct a Rail Road from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Rail Road, at or near Olney, in the State of Illinois, via Princeton, Gibson county, Indiana, and Mount Carmel, Illinois ;
And by the unanimous consent of the Senate,
Mr. Miller offered the following amendment :

Add the following to the bill :

The President and Directors of said Company, shall be liable in their individual capacity, for all debts contracted by them in the name and behalf of said company, beyond the amount of solvent stock subscribed ; and the Legislature reserves the right to alter, amend, or repeal this charter, if the President and Directors shall violate any of the privileges conferred upon them by this act of incorporation.

Which amendment was adopted and the bill read a third time and passed.

No. 25. A bill to incorporate the Cross plains and Laughery Turnpike Company ;

Which was read a third time and passed.

BILLS OF THE HOUSE ON THEIR SECOND READING.

No. 13. A bill to change the name of Mary Maranda Landrum ;
Which was read a second time and passed to a third reading.

No. 20. A bill for the relief of Isaac Hardy and others ;

Which was read a second time and referred to the committee on the judiciary.

No. 27. A bill to amend an act, entitled an act, for the relief of certain persons therein named. Approved, February 16, 1848 ;

Which was read a second time and ordered to a third reading.

BILLS OF THE SENATE ON THEIR SECOND READING.

No. 56. A bill to change the name of Emaline Grubb ;

Which was read a second time ; and,

On motion by Mr. Taber,

The rules were suspended and the bill read a third time and passed.

No. 57. A bill to legalize the sale of certain school sections therein named ;

Which was read a second time and the rules suspended and the bill read a third time and passed.

No. 60. Bill to provide for taking the sense of the qualified voters of this State, on the calling of a convention to alter, revise, and amend the constitution of this State ;

Which was read a second time ; and,

On motion by Mr. Orth,

Referred to a select committee to consist of one Senator from each Congressional district ;

Whereupon, Mr. Osborn proposed the following instruction to the committee :

That said committee enquire into and report to the Senate, the probable expense of such convention ;

Which was adopted.

Mr. Harvey also proposed the following instruction to said committee :

That said committee be instructed so to amend said bill, that the vote shall be viva voce, instead of by ballot ;

Which was adopted.

No. 64. A bill in relation to the highway tax in Lagrange county ;

Which was read a second time ; and,

On motion by Mr. Martin,

The rules were suspended and the bill read a third time and passed.

No. 73. A bill relative to the sale of school lands in Laporte county, and to amend article 13, chapter 13, Revised Statutes of 1843 ;

Which was read a second time ; when,

Mr. Taber moved to amend by adding the county of Cass ;

Which was adopted.

Mr. Cassatt moved further to amend by adding the county of Wabash ;

Which was adopted.

Mr. Hendricks moved further to amend by making the provisions of the bill general ;

Which amendment was not adopted.

Mr. Coats moved further to amend by adding the county of Fountain ;

Which was adopted.

Mr. Rousseau moved further to amend by adding the counties of Green and Owen ;

Which was adopted.

Mr. Hendricks moved further to amend by adding the county of Jefferson ;

Which was adopted.

Mr. Houghton moved further to amend by adding the counties of Daviess and Martin ;

Which was adopted.

Mr. McCarty moved further to amend by adding the county of Franklin ;

Which was adopted.

Mr. Adams moved further to amend by adding the county of Brown ;

Which was adopted.

And the bill ordered to be engrossed for a third reading.

No. 74. A bill to repeal section three, chapter twenty-eight, Revised Statutes, 1843 ;

Which was read a second time ; and,

On motion,

Referred to the committee on the judiciary ;

No. 75. A bill to incorporate the General Association of Baptists, in Indiana ;

Which was read a second time ; and,

On motion,

Referred to the committee on the judiciary.

No. 77. A bill for the relief of John and Sarah Wilson ;

Which was read a second time ; and,

On motion by Mr. English,

The bill was recommitted to a select committee consisting of Messrs. English, Osborn, and Davis.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have adopted the following resolutions :

Resolved, That a committee of two be appointed by the House, to act with a similar committee on the part of the Senate, whose duty it shall be to examine the bonds surrendered to the Agent of State, at New York, since his last annual communication, and to report the facts to this General Assembly.

Resolved, That the Senate be informed of the adoption of this resolution, and a similar committee requested on the part of the Senate ; and that,

Messrs. Dowling and Harlan have been appointed said committee, on the part of the House ;

Which message,

On motion by Mr. Graham,

Was taken up and the resolution of the House reciprocated.

And Mr. Graham and Mr. Holloway, were appointed said committee, on the part of the Senate.

The following message was received from the House of Representatives, by Mr. Dodd their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof :

No. 14. An act to ascertain and establish the boundaries of certain roads in the counties of Warren and Montgomery ;

No. 54. An act to amend an act entitled "An act to incorporate the town of New Castle in the county of Henry."

No. 55. An act to amend an act to authorize a company to construct the Aurora and Laughery Turnpike. Approved February 15, 1848 ;

No. 62. An act to amend an act entitled "An act to incorporate the Kosciusko, Elkhart, and Miami Rail Road Company ;"

No. 63. An act for the relief of John McCullough, of Cass county ; In which the concurrence of the Senate is respectfully requested.

Also, that the House have passed the following engrossed joint resolution thereof :

No. 57. A joint resolution in relation to the seat of Government of the United States ;

In which the concurrence of the Senate is respectfully requested.

And the bill contained in the message entitled,

No. 14. A bill to ascertain and establish the boundaries of certain roads in the counties of Warren and Montgomery,

Was read a first time, and

On motion,

The rules were suspended, and the bill read a second time, and referred to a select committee consisting of

Messrs. Beard, Montgomery, and Harvey.

And bill contained in the message entitled,

No. 53. A bill to amend an act entitled an act to incorporate the town of New Castle, in the county of Henry ;

Was read a first time, and passed to a second reading.

And bill contained in the message entitled,

No. 55. A bill to amend an act to authorize a company to construct the Aurora and Laughery Turnpike, approved February 15th, 1848 ;

Was read a first time, and

On motion,

The rules were suspended, and the bill read a second time, and referred to committee on corporations.

And bill contained in said message entitled,

No. 62. A bill to amend an act entitled "an act to incorporate the Kosciusko, Elkhart, and Miami Rail Road Company ;"

Was read a first time, and

On motion,

The rules were suspended, and the bill read a second time, and referred to a select committee consisting of

Messrs. Osborn, Martin, Day of Kosciusko, and Cassatt.

And bill contained in said message entitled

No. 63. A bill for the relief John McColloch of Cass county ;

Was read a first time, and passed to a second reading.

And joint resolution contained in said message entitled,

No. 57. A joint resolution in relation to the seat of Government of the United States ;

Was read a first time, and

On motion,

The rules were suspended, and the joint resolution read a second time, and referred to the committee on Federal Relations.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof :

No. 9. An act to incorporate the Ladies Sigourney Library at Logansport ;

No. 28. An act to amend an act entitled "an act relative to high waters in Jackson County," approved February 16, 1848 ;

No. 32. An act to amend an act entitled "an act to incorporate the Centreville and Abington Turnpike Company," approved February 12, 1848;

No. 35. An act authorizing justices of the peace in Harrison county, to perform the duties of Coroner in certain cases;

No. 36. An act to change the name of Andrew Turner, alias, John Turner, to that of John Anderson Barnes;

No. 46. An act to amend an act providing for the appointment of supervisors of highways in the counties of Decatur, Jefferson and Spencer, approved December 26, 1844;

No. 49. An act relative to school funds in the county of Clark;

No. 52. An act for the relief of Alvin N. Blacklidge and the heirs of Robert Thompson, deceased;

In which the concurrence of the Senate is respectfully requested.

And the bill contained in said message entitled

No. 9. A bill to incorporate the Ladies Sigourney Library at Logansport;

Was read a first time, and

On motion,

The rules were suspended, and the bill read a second time, and

On motion,

The rules were further suspended, and the bill read a third time, and passed.

And bill contained in said message entitled

No. 28. A bill to amend "an act relative to high waters in Jackson county," approved February 16th, 1848;

Was read a first time, and passed to a second reading.

On motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President laid before the Senate the following communication from the Auditor and Treasurer of State:

TREASURER'S DEPARTMENT, }
Dec. 18, 1848. }

HON. P. C. DUNNING,

President of the Senate,

SIR:—The following resolution, which appears to have been adopted on Saturday, was received by us a quarter to 11 o'clock this morning, viz:

Resolved, That the Treasurer and Auditor of State be requested to report to the Senate, with as little delay as practicable, the amount of the expenses which were incurred in negotiating the loan authorized by law of last winter to pay the January interest then due on the State Debt; also the probable expense that will be necessarily incurred if the Certificates which are provided for in the State Debt Bill be issued when the funds in the Treasury shall not be sufficient to pay the interest as it becomes due; also the amount, if any, that it will be necessary to borrow next July and January thereafter to meet the deficiency in the revenue that may exist at those periods."

In reply to the first enquiry above, we state that the gross amount borrowed was \$95,000 00.

Interest was paid on this sum for 109 days and exchange,	2,649	36
Printing Circulars,	-	2 00
Postage, about,	-	1 00

Total expenses, - - - - - \$2,652 36

In relation to the probable expense that will be incurred in issuing certificates for the payment of interest, we would respectfully refer the Senate to the Agent of State who is present, and who, having charge of the payment of the interest, and having therefore doubtless had his attention drawn to the subject, can give a much nearer estimate than can be made by the undersigned. The expense and labor would no doubt be considerable.

As to "the amount that it will be necessary to borrow next July and the January thereafter, to meet the deficiency in the revenue that may exist at those periods," we reply relative to the July interest, that we have seen no reason yet to change the estimate set forth in the Annual Report of the Auditor to the General Assembly, page 18, where the probable deficiency is represented to be about \$24,000. It may be more or less than that amount, depending on the amount of Treasury Notes that will be paid in as revenue, and other contingencies, but that is the best estimate that we can make at present.

Concerning the interest that will be due on the 1st of January 1850, we reply that there will probably be but little in the Treasury at the time when that instalment shall be payable which will be applicable to that purpose. The State Revenue, as is well known, is not required to be paid until the 4th Monday in February, and it would not be safe to assume that there would be much more of the revenue of 1849 realized on the 1st of January, 1850 than will meet the deficiency of the previous July interest, and pay the ordinary expenditures. The greater part of the instalment therefore due the 1st of January 1850 will, in all probability, have to be met, like the instalment due on the ensuing 1st of January, either by a temporary loan or by issuing Certificates.

Respectfully submitted,

D. MAGUIRE, *Aud. of State.*

SAM'L HANNAH, *Treasurer.*

Which communication,
On motion by Mr. Hamrick,
Was laid on the table.

The President appointed the following named Senators as the select committee to whom was referred Bill of the Senate No. 60, to-wit:

Messrs. Orth, from the 8th District,
Porter, from the 1st District,
English, from the 2d District,
McCarty, from the 3d District,
Holloway, from the 4th District,
Sleeth, from the 5th District,
Rousseau, from the 6th District,
Dole, from the 7th District,
Taber, from the 9th District,
Randall, from the 10th District.

The Senate then resumed the consideration of the following bills contained in the message from the House, and which was under consideration at the adjournment;

And bill contained in the message, entitled

No. 32. A bill to amend an act entitled an act to incorporate the Centreville and Abington Turnpike Company, approved February 12th, 1848;

Was read a first time, and

On motion by Mr. Holloway,

The rules were suspended, and the bill read a second time, and Referred to the committee on corporations.

And bill contained in the message, entitled

No. 35. A bill authorizing Justices of the Peace in Harrison county to perform the duties of Coroner in certain cases;

Was read a first time, and

On motion by Mr. Porter,

The rules were suspended, and the bill read a second time, when Mr. Graham moved to amend the bill as follows:

Strike out of the second section the words "publication in the Indiana Journal," and insert "passage;"

Which amendment was adopted; and

On motion the rules were further suspended, and the bill

Read a third time and passed.

On motion by Mr. English,

The previous order of business was suspended, and leave granted him to make the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred bill of the Senate No. 77, have had the same under consideration, and made one amendment, by striking out the bill from the enacting clause. and

inserting in lieu thereof the following, and upon the adoption thereof, to recommend its passage.

Amendments referred to in the report of the committee:
Strike out the bill and insert the following:

A bill for the relief of John and Sarah Wilson of Scott county.

WHEREAS, it is manifested to this General Assembly, that John Wilson and Sarah Wilson, his wife, late of Scott county, not being able to live together as husband and wife, did some time in the year one thousand eight hundred and forty-eight, separate by mutual agreement; And whereas, the said John Wilson did before such separation make an equitable distribution of his property, and did give to said Sarah the full one-third part of all his property, which she accepted in full discharge and satisfaction of all claims upon said John; And whereas, the said parties did then mutually agree as to the custody of their children, and the said Sarah left this State with her children for the State of Iowa, where she now resides; And whereas, it is represented that said parties cannot again live together as husband and wife; And whereas, it was then agreed by said parties that a Divorce should be granted and their marriage contract dissolved. Therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That the marriage contract heretofore existing between said John and Sarah Wilson, of Scott county, be and the same is hereby dissolved.

SEC. 2. This act shall be a public act, and be in force from and after its passage.

Which amendment was adopted and the report concurred in;

And on motion by Mr. English,

The rules were suspended and the bill read a third time, and

The question being upon the passage of the bill;

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Coates, Davis, Day, of St. Joseph, Dole, English, Graham, Hardin, Hendricks, Herod, Houghton, Hubbard, Huffstetter, James, Martin, Millikin, Milligan, Miller, Montgomery, Morrison, Osborn, Randall, Read, Rousseau, Sleeth, Taber, and Waters—27.

Those who voted in the negative are,

Messrs. Buckles, Cornett, Ellis, Garver, Harvey, Henry, Holloway, Malott, McCarty, Orth, Porter, Robinson, and Stewart—13.

So the bill passed.

Mr. Morrison asked and obtained leave to make the following report from the committee on finance :

Mr. PRESIDENT :

The committee on finance to whom was referred bill of the Senate, No. 71, entitled "A bill to authorize the Governor, Auditor and Treasurer of State to borrow a sum of money not exceeding ninety-five thousand dollars, to pay the interest due on the Funded Debt on the first of January, 1849," have had the same under consideration, and have directed me to report the same back to the Senate, and respectfully recommend its passage.

The bill being open to amendment,

Mr. Robinson proposed the following amendment to the bill :

SEC.—That from and after the passage of this act, the salaries of the Trustees of the Wabash and Erie Canal shall be fixed and established at the following sums, to-wit: the salary of the Resident Trustees shall be, and they are hereby fixed and established at twelve hundred dollars each, per annum, and the salary of the Non-resident Trustee be and the same is hereby fixed and established at fifteen hundred dollars per annum.

The question being upon the adoption of the amendment,

Mr. Rousseau moved to lay the amendment upon the table, and

The ayes and noes being demanded upon the motion to lay upon the table, by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cornett, Davis, Day, of Kosciusko, Dole, English, Graham, Hamrick, Harvey, Hendricks, Henry, Herod, Houghton, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Millikin, Miller, Morrison, Porter, Randall, Read, and Rousseau—28.

Those who voted in the negative are,

Messrs. Buckles, Cassatt, Coats, Day, of St. Joseph, Ellis, Hardin, Holloway, Milligan, Montgomery, Orth, Robinson, Sleeth, Stewart, Taber, and Waters—15.

So the amendment was laid upon the table.

The bill being open to amendment,

Mr. Orth proposed the following amendment :

SEC.—*And be it further enacted,* That the Governor, Auditor and Treasurer aforesaid, shall not at any time hereafter borrow any money to pay any of the future instalments of said interest, without being authorized to do so by law.

The question being upon the adoption of the amendment,

Mr. Dole moved to lay the amendment upon the table, and
The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cornett, Davis, Day, of Kosciusko, Dole, English, Graham, Hamrick, Harvey, Hendricks, Henry, Herod, Houghton, Hubbard, James, Martin, Millikin, Miller, Porter, Randall, and Rousseau—22.

Those who voted in the negative are,

Messrs. Buckles, Cassatt, Coats, Day, of St. Joseph, Ellis, Garver, Hardin, Holloway, Huffstetter, McCarty, Milligan, Montgomery, Morrison, Orth, Osborn, Read, Robinson, Sleeth, Stewart, Taber, and Waters—21.

So the amendment was laid upon the table.

Mr. Graham moved to suspend the rules and read the bill a third time now.

And upon the motion to suspend the rules.

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cornett, Davis, Day of Kosciusko, Dole, English, Garver, Graham, Hamrick, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Millikin, Miller, Morrison, Osborn, Porter, Randall, Read and Rousseau—30.

Those who voted in the negative are,

Messrs. Buckles, Cassatt, Coates, Day of St. Joseph, Ellis, Hardin, Milligan, Montgomery, Orth, Robinson, Sleeth, Stewart, Taber and Waters—14.

So the rules were suspended, and the bill read a third time and passed.

Mr. Robinson asked and obtained leave to introduce the following bill :

No. 88. A bill fixing the salaries of the Trustees of the Wabash and Erie Canal ;

Which was read a first time, and,

On motion by Mr. Robinson,

The rules were suspended, and the bill read a second time, and ordered to be engrossed for a third reading.

On motion,
The Senate adjourned.

TUESDAY MORNING, DECEMBER 19, 1848.

The Senate met.

The journal of the preceding day was read.

Mr. Simpson, Senator from the counties of Fayette and Union, appeared and took his seat.

Mr. Morrison made the following report from the committee on Finance :

MR. PRESIDENT :

The committee on finance to whom was referred bill of the Senate No. 36, entitled "A bill to regulate the salaries of President Judges of the Circuit Courts of this State," have had the same under consideration, and a majority of the committee have directed me to report that it is inexpedient to legislate on the subject, and ask to be discharged from its further consideration.

And,

On motion,

The committee were discharged from the further consideration of the subject.

Whereupon, Mr. Porter moved to lay the bill upon the table, and,

The ayes and noes being demanded by two Senators, upon the motion to lay upon the table, they were ordered :

Those who voted in the affirmative are,

Messrs. Buckles, Cassatt, Coats, Conduit, Cornett, Day of Kosciusko, English, Hamrick, Hardin, Houghton, Huffstetter, Malott, Millikin, Milligan, Montgomery, Morrison, Porter, Read, Sleeth, Stewart, Taber and Waters—22.

Those who voted in the negative are,

Messrs. Adams, Beard, Davis, Day of St. Joseph, Ellis, Garver, Graham, Harvey, Hendricks, Henry, Herod, Holloway, Hubbard, James, Marsh, Martin, Miller, Orth, Osborn, Randall, Robinson, Rousseau and Simpson—23.

So the bill was not laid upon the table.

The question then being,

Shall the bill be engrossed for a third reading? and,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Beard, Davis, Day of St. Joseph, Ellis, Garver, Graham, Harvey, Hendricks, Herod, Holloway, Hubbard, James, Marsh, Martin, McCarty, Miller, Orth, Osborn, Randall, Robinson, Rousseau and Simpson—23.

Those who voted in the negative are,

Messrs. Buckles, Cassatt, Coates, Conduit, Cornett, Day of Kosciusko, English, Hamrick, Hardin, Henry, Houghton, Huffstetter, Malott, Millikin, Milligan, Montgomery, Morrison, Porter, Read, Sleeth, Stewart, Taber and Waters—23.

So the Senate refused to order the bill to be engrossed for a third reading.

Mr. Ellis, from the committee on finance, made the following report :

MR. PRESIDENT :

The committee on finance to which had been referred so much of the Auditor's report "as relates to the privilege granted the State to subscribe for additional stock in the Madison and Indianapolis Railroad Company," have instructed me to report the following joint resolution and recommend its passage :

And joint resolution,

No. 89. A joint resolution authorizing an additional subscription by the State in the stock of the Madison and Indianapolis Railroad Company, and for the sale of the same ;

Was read a first time, and,

On motion by Mr. Ellis,

The rules were suspended, and the joint resolution read a second time, when,

Mr. Henry proposed the following amendment :

Add after the words "make sale" in section 2, the words "for cash ;"

Which amendment was adopted.

Mr. Harvey offered the following amendment :

Insert immediately after the words "for cash" the words "at not less than the par rate of said stock ;"

Which was adopted.

Mr. Henry moved further to amend as follows :

"That the Agent of State be and is hereby authorized and required to sell and dispose of for cash all the right which the State may have to subscribe for said stock ;"

Which amendment was,

On motion by Mr. Stewart,

Laid on the table, and,

On motion by Mr. Ellis,

The rules were further suspended, and the joint resolution considered as engrossed, read a third time and passed.

Mr. Sleeth made the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 69, have had the same under consideration, and have instructed me to report the same back with an amendment, upon the adoption of which, they recommend its passage.

Amend by striking out the bill and insert the following :

An Act to incorporate the United Protestant German Saint Zion Church, in Union Township, Shelby county, Indiana.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana, That Henry Naegle, Peter Neeb, Michael Haehl, jr., George Michael Theobald, Conrad Haehl, jr., and their successors in office, are hereby constituted a body politic and corporate, and shall be known by the name and style of "The Trustees of the United Protestant German Saint Zion Church;" and by said corporate name may sue and be sued, plead and be impleaded in any court of this State, and by that name have perpetual succession; and they shall in law, in said corporate name, be capable of purchasing and holding, bargaining and selling any property, either real or personal, for the use of said church, whether by legal or equitable title, not to exceed in value twenty thousand dollars.*

SEC. 2. *They shall further be empowered to receive all and singular any subscriptions, gifts, grants, donations, and bequests designed for the benefit of said church, which shall be held and solely applied to the use and benefit of said church in the manner which said Trustees shall deem most judicious and expedient.*

SEC. 3. *It shall be lawful for such Trustees to hold meetings at such places and at such times, and as often as it may suit them, or as their business may require, to sit on adjournments, on the call of the proper officer, or one of their body; and to elect or appoint such officers and establish such rules or by-laws for their government as they, or a majority of them may see fit: Provided, however,*

That such rules or by-laws shall not be incompatible with the constitution or laws of this State or of the United States.

SEC. 4. *It shall be lawful for the members of said church to perpetuate this Board of Trustees by annual appointment, or in any way they may think proper, and also to fill vacancies which may in any way occur. And the Trustees at any time chosen shall hold their office for one year, and until their successors are chosen or appointed; they shall also keep a record of their proceedings, which shall be open to the inspection of all persons concerned.*

SEC. 5. *The acts and doings of the present Trustees of said church are hereby declared valid in law to all intents and purposes, in the same manner as they would have been had they fully complied with the statute in such cases made and provided; and all property now held by said church, either by legal or equitable title, or designed for the benefit thereof, whether acquired by purchase, subscription, gift, bequest, or donation, is hereby vested in the Board of Trustees herein created, and their successors, for the benefit of said church, the same as though said property had been acquired under the provisions of this act.*

SEC. 6. *The Legislature hereby reserves the right to alter, amend, or repeal this act at any time.*

SEC. 7. *This act is hereby declared a public act; and the same shall be construed favorably for every beneficial purpose herein intended.*

SEC. 8. *This act to be in force from and after its passage.*

Which amendment was adopted;

And the report concurred in; and,

On motion by Mr. Sleeth,

The rules were suspended, and the bill considered as engrossed, read a third time and passed.

Mr. Miller, from the committee on canals and internal improvements, made the following report :

MR. PRESIDENT :

The committee on canals and internal improvements, to which was referred bill of the Senate, No. 35, entitled "A bill incorporating the Lafayette Plank Road Company," have had the same under consideration, and instructed me to report the same to the Senate with the following amendments, upon the adoption of which they recommend its passage :

Amendments referred to in the above report—

Strike out the first 9 lines in section 9, which read as follows :

"Sec. 9. *Said Company shall have power, and are hereby authorized to survey and locate a road from or at any point within two miles of Crawfordsville, in the county of Montgomery, by the way of Lafayette, in the county of Tippecanoe, to the town of Dayton, in said county of Tippecanoe; and if said Company shall so*

elect and determine, they may locate said road between Lafayette and the point of termination at, or at any point within two miles of Crawfordsville, on the ground and grade of the turnpike extending from Crawfordsville to Lafayette, or on any part of said turnpike, as to the said Company may seem proper. And the State of Indiana does hereby grant, relinquish, and give to said Company said turnpike road, known and designated as the Jeffersonville and Lafayette McAdamized road ;”

And insert the following :

“Sec. 9. Said Company shall have the power, and are hereby authorized, to survey and locate a road from Elston’s mill, near Crawfordsville, in the county of Montgomery, by way of Lafayette, in the county of Tippecanoe, to the town of Dayton, in said county of Tippecanoe ; and if said Company shall so elect and determine, they may locate said road between Lafayette and said Elston’s mill, on the ground and grade of the turnpike extending from Crawfordsville to Lafayette on any part of said turnpike as to said Company may seem proper : *Provided*, That said Company shall obtain the consent of the Board of County Commissioners of Montgomery county for the privilege of occupying so much of said turnpike as lies within said county of Montgomery, or such portion as said Company may occupy, which consent said board is hereby authorized to give : *Provided*, That if the Board of Commissioners of Montgomery county shall give their consent as aforesaid, said Company shall construct said road to said town of Crawfordsville. And the State of Indiana does hereby grant, relinquish, and give to the said Company said turnpike road, known and designated as the Indianapolis and Lafayette McAdamized road, and all bridges and”—

Which amendments were adopted,

And the report of the committee concurred in ;

And the bill was read a third time and passed.

Mr. Garver, from a select committee, made the following report :

MR. PRESIDENT :

The select committee to which was referred bill of the Senate, No. 45, authorizing a certain person therein named to sell certain stone in Hamilton county, have had the same under consideration, and have made the following amendments, to-wit :

Strike out the word “Madison,” where the same occurs, and insert “Hamilton ;”

And on the adoption of the amendment recommend its passage.

Which amendment was adopted and the report concurred in ;

And the bill ordered to be engrossed for a third reading.

The following message was received from the House of Representatives by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House :

No. 25. A joint resolution in relation to the postage on newspapers and public documents ;

No. 81. An act amendatory of an act, entitled “An act to incorporate the Hagerstown Canal Company,” approved February 15, 1841 ;

No. 24. An act to change the name of Isaac Plum Prickett ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Garver made the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred a petition of sundry citizens of Hamilton county, praying for an increase of the salary of the auditor of the county of Hamilton, have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 90. A bill to increase the pay of the auditor of Hamilton county ;

Was read a first time and passed to a second reading, And leave was given Mr. Garver to withdraw the petition from the Senate.

Mr. Ellis, from a select committee, made the following report :

MR. PRESIDENT :

The select committee to which had been referred the petition of the Board of Commissioners of Knox county, have instructed me to report the following bill and recommend its passage :

No. 91. A bill to extend the time of the sessions of the March and June terms of the Board of Commissioners of Knox county ;

Was read a first time and passed to a second reading.

RESOLUTIONS INTRODUCED.

By Mr. Millikin,

Resolved, That the committee on finance be instructed to report a bill authorizing the Governor, Auditor, and Treasurer to negotiate a loan to supply the deficit, if any, in the Treasury to meet the July instalment of interest on the public debt.

Which was adopted.

By Mr. Porter,

Resolved, That in the opinion of this Senate it is inexpedient and improper for the Legislature of Indiana to pass special laws granting divorces.

The question being upon the adoption of the resolution, and, The and ayes noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cornett, Day of Kosciusko, Ellis, Garver, Hamrick, Harvey, Hendricks, Henry, Malott, Martin, McCarty, Orth, Porter, Robinson and Stewart—17.

Those who voted in the negative are,

Messrs. Adams, Coates, Conduit, Davis, Day of St. Joseph, English, Graham, Hardin, Herod, Holloway, Houghton, Huffstetter, James, Marsh, Millikin, Miller, Montgomery, Osborn, Read, Simpson, Sleeth, Taber and Waters—23.

So the resolution was not adopted.

Mr. Robinson introduced the following bill:

No. 92. An act to authorize the voters of the county of Decatur to vote in any township in said county;

Which was read a first time and passed to a second reading.

The following message was received from the House of Representatives, by Mr. Smith, their Clerk:

Mr. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment, to-wit:

No. 71. An act to authorize the Governor, Auditor, and Treasurer of State, to borrow a sum of money not to exceed ninety-five thousand dollars, to pay the interest due on the funded debt on the 1st January, 1849.

On motion by Mr. Cornett,

Leave of absence was granted to the committee on the benevolent institutions of the State, during the afternoon of to-day, for the purpose of visiting the Hospital for the Insane.

On motion by Mr. Osborn,

Bill of the Senate,

No. 28. A bill to repeal an act entitled an act to amend an act entitled an act supplemental to an act subjecting real and personal

property to execution, approved February 11, 1843, and to revive 13 article of chapter 40 of the Revised Statutes of 1843;

Was taken up.

The question being upon the adoption of the amendment offered by Mr. Buckles, to-wit:

Strike out the words "one half" wherever they occur in the bill and insert in lieu thereof the words "its full appraised value."

It was decided in the negative, and the amendment rejected.

The bill being still open to amendment or commitment,

Mr. Osborne moved to recommit the bill to the committee on the judiciary, with the following instructions:

Recommit the bill to the judiciary committee with instructions to inquire into the expediency of so amending the bill as to repeal all laws on the subject of appraisement of property levied on by execution, or order of sale, and to give the defendants a reasonable amount of property for a homestead, as exempt from levy or sale, to affect contracts made after the fourth day of July next, and to exempt one hundred and twenty-five dollars worth of personal property.

The question being upon the adoption of the instructions,

Mr. Buckles offered the following amendment to the instructions: And that said committee amend said bill, as follows:

Sec. —. This act to take effect and be in force from and after the first day of January, 1853;

Which amendment was not adopted.

The question again recurring upon the adoption of the instructions,

Mr. Dole proposed the following amendment to the instructions:

"Also, to inquire into the expediency of repealing the present appraisement laws, and providing for the sale of real estate on execution or order of sale, at not less than two thirds of its appraised value, and that personal property be sold at not less than two thirds of its appraised value, when selected by the plaintiff; but when turned out by the defendant, to be sold without appraisement.

The question then being upon the adoption of the amendment to the instructions:

Mr. Osborn proposed the following amendment to the amendment:

And to inquire into the expediency of providing, that whenever any property levied on cannot be sold at the first offer, for two thirds of its appraised value, it shall be the duty of the officer or his successor holding the proper execution or order of sale, to sell the said property, at some time not less than two nor more than six months thereafter, at one half of such appraisement; and in case the same or any part of it cannot be then sold at one half of such appraised value, the officer holding the proper execution or order

of sale, shall sell the same at some time not less than two nor more than six months thereafter to the highest bidder, and in making such sales the proper officer shall be governed by the law regulating sales of property on execution, as modified and amended by this act ;

Which amendment to the amendment was adopted, and, thereupon,

The amendment as amended was adopted,

And the instructions as amended were adopted, and,

The bill recommitted to the committee on the judiciary, with the above instructions.

On motion,

The Senate adjourned.

Two o'clock, P. M.

The Senate met.

Mr. Hendricks asked and obtained leave to introduce the following joint resolution :

No. 93. A joint resolution relative to colonizing the free people of color in the United States ;

Which was read a first time, and passed to a second reading.

Mr. Millikin asked and obtained leave to introduce the following bill :

No. 94. A bill to amend an act, entitled an act to incorporate the White Water Valley Canal Company, approved January 20th, 1842, and for other purposes ;

Which was read a first time, and

On motion by Mr. Millikin,

The rules were suspended, and the bill read a second time, and referred to the committee on Canals and Internal Improvements.

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate that the House has passed the following engrossed bill of the Senate without amendment, to-wit :

No. 80. An act to amend an act entitled an act to incorporate the city of Logansport, approved January 13, 1845.

Mr. Buckles asked and obtained leave to introduce the following resolution :

Resolved, That the committee on finance be instructed to inquire into, and report to the Senate at the earliest practical opportunity, the amount of funds expended by the State in the construction of the Madison and Indianapolis Rail Road, the amount of certificates of stock issued to the State upon said investment, the amount of stock, if any, sold by the State, to whom sold and for what price, the amount of stock now owned by the State, the amount of dividends (if any) annually paid to the State thereon, and the cash value of said stock at this time ;

Which was adopted.

Mr. Osborn asked and obtained leave to introduce the following resolution :

Resolved, That the committee on finance be instructed to inquire into the expediency of so amending sections 63, 64 and 65 of chapter 12, of the Revised Statutes of 1843, so that payment of taxes on any particular tract of land, shall exempt the same from all liens for taxes assessed against the person to whom the same stands taxable ;

Which resolution was adopted.

The Senator from Jefferson, Mr. Hendricks, rose in his seat and announced the death of his predecessor, Hon. SAMUEL GOODENOW, who died September 16th, at Bedford, Kentucky, whither he had gone for the restoration of his health. He remarked that Mr. Goodenow had been a resident of Indiana for more than 30 years, and had all that time demeaned himself in such manner as to merit the regard and esteem of the community in which he lived. Besides county offices which he held, he was twice a member of the House of Representatives, and four years in the Senate. There are those present who can testify to the faithful and able manner in which he discharged the duties and trusts committed to him both as a Representative and as a Senator. To such, commendation of his virtues and abilities, or eulogy of his character would be superfluous. As a private citizen he was amiable, courteous and kind. His heart was the home of every generous impulse—the dwelling place of all that was honorable and noble and good. His death has occasioned both a public and a private loss—a loss of his service to the State, and a loss of a husband, father and friend. Virtue and morality lighted his pathway through life, and religion was to him an inspiring star of hope for Heaven : but he is gone ; long may we cherish the memory of his virtues.

Mr. Hendricks concluded by moving the adoption of the following preamble and resolutions :

WHEREAS, the Hon. Samuel Goodenow, Senator from Jefferson county, departed this life on the 16th day of September last, (1848.) Therefore,

Be it Resolved, That the Senate of the State of Indiana, feel deeply the affliction of Divine Providence, in the removal of one of their

number by death, and while they submit with reverence, they will long cherish the memory of the sterling virtues of their departed friend.

Resolved, That the members of this General Assembly, deeply condole with the widow and relatives of the deceased in their irreparable loss, and direct the Secretary of the Senate to forward to the widow of the deceased a copy of these resolutions.

Resolved, That the members of the General Assembly wear the usual badge of mourning during the present session.

Resolved, That the House of Representatives be requested to concur herein, and as an additional mark of respect, the Senate will adjourn until to-morrow morning, nine o'clock.

Whereupon, Mr. Davis arose and said :

That in rising to second the motion of his friend from Jefferson, in reference to the adoption of the resolutions, he felt called upon, indeed he felt it to be his duty, to make a remark or two in reference to the character of the deceased and his many virtues.

About eight years ago, said Mr. D., the deceased and myself entered the other end of the Capitol together; the deceased as a Representative from the county of Jefferson, while he was a Representative from the county of Floyd; that while in the House of Representatives, he served upon the same committee with the deceased, and though the duties of the committee were arduous and important, the deceased was always at his post, eagerly engaged in the duties confided to his charge by a confiding and intelligent constituency. That he had served with the deceased in the Senate of Indiana for four years, during all which time he sat with him at the same desk; that Senators around him who had served with the deceased, would unite with him in bearing testimony to the high moral character and industrious habits of the deceased while he held a seat in the Senate Chamber.

I have, said Mr. D., enjoyed the hospitality of the deceased; I have known him not only in public, but in the private walks of life; I have known him long and well, and take this occasion to bear my humble testimony of his exalted character as a true lover of his country, and an honest man.

Whereupon the resolutions were unanimously adopted, and

On motion,
The Senate adjourned.

WEDNESDAY MORNING, DEC. 20, 1848.

The Senate met;

The journal of the preceding day was read.

The President laid before the Senate, the annual Report of the Trustees of the Wabash and Erie Canal;

Which,

On motion by Mr. Hamrick,

Was laid upon the table and one thousand copies thereof, ordered to be printed.

Mr. Millikin asked and obtained leave to make the following report, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 86, have had the same under consideration and have directed me to report it back to the Senate, with the following amendment, for the action of the Senate.

And,

On motion by Mr. Read,

The bill and amendment was recommitted to a select committee, consisting of,

Messrs. Read, Davis, and Morrison.

PETITIONS PRESENTED.

By Mr. Waters,

The petition of William Hance and others, praying for relief;

Which,

On motion,

Was referred to the committee on claims.

By Mr. Morrison,

The petition of the County Commissioners of Washington county, praying for the passage of a certain bill therein named;

Which was read; and,

On motion by Mr. Morrison,

Referred to a select committee, consisting of,
Messrs. Morrison, English, and Malott.

By Mr. English,

The petition of sundry citizens of Jackson county, praying for the passage of an act for the relief of the Methodist Episcopal Church, in Rockford, in said county;

Which,

On motion by Mr. English,

Was referred to a select committee, consisting of,

Messrs. English, Hendricks, and Davis.

By Mr. Hendricks,

The petition of the members of the Washington Fire Company, No. 2, praying for an act of incorporation;

Which,

On motion by Mr. Hendricks,

Was referred to a select committee, consisting of, Messrs. Hendricks, English, and Read.

By Mr. Hamrick,

The petition of Johnson Simpson, praying for a change of a certain State Road, therein named;

Which,

On motion by Mr. Hamrick,

Was referred to a select committee, consisting of, Messrs. Hamrick, Harvey, and Marsh.

By Mr. Malott,

The petitions of sundry citizens of Lawrence county, praying the passage of an act, subjecting peddlars to the payment of the same license and taxes as are required of resident merchants;

Which,

On motion by Mr. Malott,

Was referred to the committee on finance.

By Mr. Porter,

The petition of Wm. R. Goldsmith and Fielding Cromwell, praying for relief;

Which,

On motion by Mr. Porter,

Was referred to a select committee, consisting of, Messrs. Porter, Davis, and Read.

Mr. Herod from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred the bill to amend article eleven, of chapter twelve, of the Revised Statutes of 1843, have had the same under consideration, and directed me to report the same back to the Senate, and ask to be discharged from the further consideration thereof, and recommend that said bill be indefinitely postponed;

Which report was concurred in and the bill,

No. 68. A bill to amend article eleven, of chapter twelve, of the Revised Statutes of 1843,

Was indefinitely postponed.

Mr. Harvey from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the Senate, No. 43, entitled, "A bill to amend the Statute regulating the granting of divorces," have had said bill under consideration, and instructed me to report the same back to the Senate, without amendment, and recommend its passage.

Which report was concurred in and the bill ordered to be engrossed for a third reading.

Mr. Hendricks from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The judiciary committee, to which was referred bill, No. 75, of the Senate, entitled "a bill to incorporate the General Association of Baptists, in Indiana, have had the same under consideration, and have directed me to report the same back with the following amendment, and when so amended, recommend its passage:

Amendment referred to in the above report:

Amend the bill so as to read after the words, "or money," in the first section, "not exceeding one hundred thousand dollars:"

Which amendment was adopted and the report concurred in and the bill ordered to be engrossed for a third reading.

Mr. Garver made the following report from the committee on the judiciary:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill No. 85 of the Senate, entitled, "an act for the relief of Lavina Whistler, have had the same under consideration and directed me to report the same back to the Senate without amendment, and recommend, its passage;

Which report was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Hendricks from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The judiciary committee to whom was referred bill of the Senate No. 83, have had the same under consideration and have directed me to report the same back to the Senate, and recommend that it be laid on the table;

Which report was concurred in and the bill entitled,
No. 83. A bill to regulate the jurisdiction of Justices of the
Peace ;

Was laid upon the table.

Mr. Porter from the committee on the judiciary made the following report :

MR. PRESIDENT :

The judiciary committee to whom was referred bill of the Senate No. 37, entitled, "a bill to regulate trials by jury in civil causes, so as to make the decision of the majority the verdict of the jury," have had that bill under consideration, and have directed me to report the same back to the Senate and recommend its indefinite postponement ;

Which report was concurred in, and the bill indefinitely postponed.

Mr. Hendricks from the committee on the judiciary made the following report :

MR. PRESIDENT :

The judiciary committee to whom was referred bill No. 39 of the Senate, have had the same under consideration and have directed me to report the same back to the Senate, with the following amendments and when so amended recommend its passage ;

Amendment referred to in the above report :

Add the following sections to the bill :

SEC. 3. The provisions of this act to extend to the county of Jefferson only :

Which amendment was adopted, and the report concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Buckles from the committee on the judiciary, made the following report :

MR. PRESIDENT :

The judiciary committee to whom was referred bill No. 30, fixing the time of holding theseveral Circuit courts in the eleventh Judicial Circuit, have had the same under consideration and directed me to report it back with the following amendment, and recommend its passage :

Strike out the words "twelve days," and insert in lieu thereof "two weeks ;"

Which amendment was adopted and the report concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Hubbard from the committee on the judiciary made the following report :

MR. PRESIDENT :

The judiciary committee to which was referred bill of the Senate No. 67, entitled, "a bill to repeal part of Article 7 of Chapter 45, of the Revised Statutes of 1843," have had the same under consideration and directed me to report that it is inexpedient to legislate on the subject, and to recommend that said bill be laid upon the table ;

Which report was concurred in and the bill laid upon the table.

Mr. Orth from the committee on the judiciary made the following report :

MR. PRESIDENT :

The committee on the judiciary to which was referred bill of the Senate No. 78, entitled, "a bill for the relief of William Armstrong," together with the accompanying documents, have had the same under consideration and instructed me to report the same to the Senate and respectfully recommend its passage ;

Which report was concurred in and the bill ordered to be engrossed for a third reading.

Mr. Robinson from the committee on the judiciary, made the following report :

MR. PRESIDENT :

The judiciary committee to whom was referred bill of the Senate No. 79, to provide for the enforcement of the State debt act and the act supplemental thereto, have according to order had the same under consideration, and have directed me to report the same back to the Senate for its action, and respectfully ask to be discharged from the further consideration thereof ;

And the bill being still open to amendment,

Mr. Montgomery proposed the following amendment ;

Insert after the word "canal" in the first section of the bill, the following :

Or who were so on the first day of January, 1849 ;

Which amendment was adopted ; and,

On motion by Mr. Millikin,

The bill was laid upon the table.

Mr. Robinson made the following report from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to who was referred bill of the Senate No. 49, in relation to the Law Library, have according to order had the same under consideration, and have directed me to report the same back to the Senate with two amendments, and when adopted, recommend its passage ;

Amendments referred to in the above report :

1st Amendment,

Strike out the third section in said bill and insert the following :

SEC. 3. The books composing said library shall be kept in a room or place selected for that purpose, and shall be kept and used there only, when taken to the room of the Supreme or Federal Court in Term time.

2nd Amendment,

Fill the blank in first line of the fourth section with the sum of one hundred dollars ;

Which amendments were adopted and the report concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Henry made the following report from the committee on the judiciary :

MR. PRESIDENT .

The committee on the judiciary to whom was referred a bill of the Senate No. 21 entitled "a bill to authorize Patsey C. Paden to cell certain real estate which she inherited from her father," have had the same under consideration and directed me to report the same back to the Senate and recommend its passage ;

Which report was concurred in, and

The bill ordered to be engrossed for third reading.

Mr. Osborn from the committee on the judiciary made the following report :

MR. PRESIDENT :

The judiciary committee to which was referred Senate Bill No. 41, entitled "A bill to amend the law relative to costs in appeals from justices of the peace," have considered the same and instructed me to report it back to the Senate, with the following amendment, and when so amended, recommend its passage."

Amendment referred to in the report,

Strike out the first section from the enacting clause, and insert the following :

"That in all cases of appeal from judgments of justices of the peace, the Circuit Court and Tippecanoe Court of Common Pleas, before whom the trial thereof may be had, shall have a discretionary power, to tax the costs in such a manner as to them shall appear just and reasonable.

SEC. 2. All laws conflicting with the provisions of this act are hereby repealed ;"

Which amendment was adopted,

The report concurred in, and

The bill ordered to be engrossed to a third reading.

Mr. Orth from the committee on the judiciary made the following report :

MR. PRESIDENT :

The committee on the judiciary to which was referred bill of the Senate No. 74 entitled a bill to repeal section 3, chapter 28, of the Revised Statutes of 1843, have had the same under consideration and instructed me to report the same to the Senate and respectfully recommend its passage ;

Which report was concurred in, and,

The bill ordered to be engrossed to a third reading.

Mr. Hendricks from the committee on unfinished business made the following report :

MR. PRESIDENT :

The committee on unfinished business to whom was referred a resolution of the Senate, instructing said committee to report to the Senate a bill entitled "an act to compel the Trustees of the Wabash and Erie Canal to allow interest on Canal land scrip," together with the reasons of his Excellency for withholding his signature thereto, have directed me to report said bill to the Senate; and for the reasons of His Excellency for withholding his signature thereto, said committee refer the Senate to the Senate Journal of the last session page 668.

And the said committee ask to be discharged from the further consideration thereof ;

And the bill,

No. 95. A bill to compel the Trustees of the Wabash and Erie Canal to allow interest on canal land scrip,

Was read a first time, and,

On motion by Mr. Cassatt,

The rules were suspended, and,

The bill read a second time, and

Referred to a select committee consisting of

Messrs. Cassatt, Osborn, Taber, Rundall, and Montgomery.

Mr. Hamrick from the committee on enrolled bills made the following report :

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MR. PRESIDENT :

The committee on enrolled bills have examined and compared enrolled bills of the Senate No. 71 and 80 with engrossed bills and find them correctly enrolled.

Mr. Montgomery asked and obtained leave to introduce the following resolution :

Resolved, That the State Printer be, and he is hereby requested to print the Report of the Trustees of the Wabash and Erie Canal and accompanying documents, at the earliest period practicable ;

Which resolution was adopted.

Mr. Hamrick made the following report, from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills did, on the 16th, present to the Governor, for his approval and signature, bill of the Senate, No. 1.

Mr. Millikin made the following report, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the House, No. 55, have had the same under consideration and directed me to report it back to the Senate, without amendment, and recommend its passage.

Which report was concurred in and the bill ordered to a third reading.

Mr. Millikin from the committee on corporations, made the following report :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 87, direct me to report it back to the Senate, without amendment, and recommend its passage.

Which report was concurred in and the bill ordered to be engrossed for a third reading.

Mr. Hubbard from the committee on corporations, made the following report :

MR. PRESIDENT :

The committee on corporations, to which was referred bill of the Senate, No. 81, entitled, "a bill to incorporate the Madison Marine Insurance Company, have had the same under consideration, and directed me to report the same back to the Senate, and recommend its passage.

Which report was concurred in and the bill ordered to be engrossed for a third reading.

Mr. Rousseau asked and obtained leave to introduce the following joint resolution :

No. 96. A joint resolution to authorize the purchase of the picture of the Battle Ground of Tippecanoe ;

Which was read a first time and passed to a second reading.

On motion,

The Senate adjourned.

Two o'clock, P. M.

The Senate met ;

ORDERS OF THE DAY.

Bills of the House on their third reading.

No. 27. A bill to amend an act for the relief of certain persons therein named. Approved Feb. 16th, 1848 ;

Which was read a third time and passed.

Mr. Sleeth asked and obtained leave to make the following report, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the House of Representatives, No. 32, in relation to the Centreville and Abington Turnpike Company, have had the same under consideration and instructed me to report it back without amendment, and recommend its passage.

Which report was concurred in and the bill ordered to a third reading.

Mr. Garver asked and obtained leave to make the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to which was referred bill No. 82, of the Senate, entitled an act to incorporate the Richmond Bridge and Turnpike Company, have had the same under consideration and directed me to report the same back to the Senate, without amendment, and recommend its passage.

Which report was concurred in and the bill ordered to be engrossed for a third reading.

Mr. Millikin asked and obtained leave to make the following report, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred a petition of the citizens of Hillsborough, on the subject of incorporating a company to prevent horse stealing, have directed me to report the accompanying bill and recommend its passage.

No. 97. A bill to incorporate the Hillsborough Horse Thief Detecting Company,

Was read a first time ; and,

On motion by Mr. Coates,

The rules were suspended and the bill read a second time ; and,

On motion by Mr. Coates,

The rules were further suspended and the bill considered as engrossed and read a third time and passed.

Mr. English from a select committee, asked and obtained leave to make the following report :

MR. PRESIDENT :

The select committee, to whom was referred the petition of sundry citizens of Jackson county, praying for the passage of an act for the relief of the Trustees of the Methodist Episcopal Church, in the town of Rockford, have had the same under consideration and directed me to report the following bill and recommend its passage :

No. 98. A bill for the relief the Trustees of the Methodist Episcopal Church, in the town of Rockford ;

Was read a first time ; and,

On Motion by Mr. English,

The rules were suspended and the bill read a second time and ordered to be engrossed for a third reading.

Mr. Read from a select committee, made the following report :

MR. PRESIDENT :

The select committee, to whom was referred Senate bill, No. 86, entitled, a bill in relation to the New Albany and Salem Rail Road Company, have had the same under consideration and directed me to report the same back to the Senate, for its action.

The bill being open to amendment,

Mr. Davis offered the following amendment :

Add the following, to the 2d section :

And in crossing the tract or route of the Ohio and Indianapolis Rail Road Company, a just course should be pursued and as little damage done as possible. And said New Albany and Salem Rail Road Company, shall be responsible for all such damages they may occasion ; and on the line of road proposed to be constructed to Charleston, all claim or claims for damages, either for right of way or materials shall be made within three years after the location of said road, or taking of said materials.

The question being upon the adoption of the amendment,

Mr. Read offered the following amendment :

Amend the second section of said bill, by adding the following :

Provided, That nothing herein granted, shall affect the rights and interests heretofore granted and now vested in the Ohio and Indianapolis Rail Road Company, and that such arrangements be made with said Ohio and Indianapolis Rail Road Company, concerning the right, mode, and manner of crossing said last mentioned railway and railway route, as may be just, and secure all the rights, facilities of travel, and transportation of said last named company.

But that the proviso shall not extend or be so construed to prevent the construction of said branch road, at the earliest practicable day, on the best and most practicable route from said New Albany and Salem Rail Road, with the right of crossing the said Ohio and Indianapolis Rail Road, so as not to interfere with the passing cars and the track of said Ohio and Indianapolis Rail Road, and wherever the interest of said branch road may demand.

Which amendment,

On motion by Mr. Davis,

Was laid upon the table.

The question again recurring upon the adoption of the amendment of the Senator from Floyd,

It was adopted.

Whereupon, Mr. Read offered the following amendment to the bill :

Strike out in the first section, all after the words "New Albany to Salem ;"

Which amendment was,

On motion by Mr. Davis,

Laid upon the table.

When Mr. Davis offered the following amendment to the bill :
Add to the first section, as follows :

Provided, however, Nothing in this section contained shall be so construed as to release said Railroad Company from the restrictions contained in the third section of an act entitled "an act for the benefit of the New Albany and Salem Railroad company;"

Which amendment was adopted.

The bill still being open to amendment,

Mr. Morrison moved further to amend the bill as follows :

"Strike out the second section of the bill."

Which amendment was not adopted.

Whereupon,

Mr. Read offered the following amendment to the bill :

Add the following section to the bill—

Sec. 15. That the President and Directors of said Company, or a majority of them, or any person or persons authorized by a majority of them, may agree with the owner or owners of any land, earth, timber, gravel or stone, or other materials, or any improvements which may be wanted for the construction or repair of any of said road, or any of their works, for the purchase or use and occupation of the same, and if they cannot agree, and if the owner or owners of any of them be a *feme covert*, under age, *non compos mentis*, or out of the country in which the property wanted may lie, when such land or materials shall be wanted, application may be made to any justice of the peace in the county where such land or materials shall lie, who shall thereupon issue his warrant under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, not related or in anywise interested, to meet on the land, or near to the other property or materials, to be valued on a day named in said warrant, not less than ten, nor more than twenty days after issuing of the same; and if at said time and place any of said jurors summoned do not attend, the said sheriff shall summon immediately as many jurors as may be necessary, with the jurors in attendance, to furnish a panel of twenty jurors in attendance; and from each party its, his, or her, or their agent, if either be not present in person or by agent, then the sheriff, for it, him, or her, may strike off four jurors, and the remaining shall act as the jury of inquest of damages; and before they act as such, the said sheriff shall administer to each of them an oath, or affirmation, as the case may be, that he will justly and impartially value the damages which the owner or owners will sustain by the use or occupation of the land, materials, or other property required by the Company; and the jury estimating such damages shall take into the estimate the benefit resulting to the owner or owners from the construction of the said Railroad through, along, or over the property of said owner or owners, but

only in extinguishment of the claims for damages; and the jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned to the clerk of the circuit court of his county, and by such clerk filed in his office, and shall be confirmed by the circuit court of said county at its next session, if not sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk at the expense of said Company; but if set aside by said court for good cause shown, the said court shall direct another inquisition to be taken in the same manner as above prescribed; and such inquisition shall describe the property taken or the bounds of the land condemned, and the quantity or duration of the interest of the owner or owners in the same valued for the Company; and such valuation, when paid or tendered to the owner or owners of said property, or his, or her, or their legal representative, shall entitle the said Company to the estate and interest in the same thus valued as full as if it had been conveyed by the owner or owners of the same; and the valuation if not received when tendered may at any time thereafter be received from the Company without cost, by the owner or owners, his, her, or their legal representative or representatives: *Provided, however,* That nothing in this section shall be construed to effect the vested right of said Company heretofore granted.

The question being upon the adoption of the amendment,
Mr. Davis moved to lay the same upon the table;
And the ayes and noes being demanded by two Senators,
They were ordered.

Those who voted in the affirmative are :

Messrs. Adams, Cassatt, Conduit, Davis, Day, of Kosciusko, Dole, Ellis, Evans, Graham, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Huffstetter, Marsh, Malott, Miller, Montgomery, Orth, Osborn, Porter, Robinson, Simpson, and Waters—26.

Those who voted in the negative are :

Messrs. Buckles, English, Hardin, James, Martin, McCarty, Miligan, Morrison, Read, Sleeth, and Taber—11.

So the amendment was laid on the table.

Whereupon,

Mr. Huffstetter offered the following amendment :

And be it further enacted, That the town of Orleans, in the county of Orange be, and the same is hereby, made a point in the main and continuous line of said Railroad: *Provided,* Forty thousand dollars stock be subscribed at said point for the construction of said road;

When Mr. Davis called for the previous question—

Which call was seconded.

And the question being,

"Shall the main question be now put?"

And it was decided in the affirmative.

And the main question being,

"Shall the bill be engrossed for a third reading?"

And it was ordered to be engrossed.

The following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills of the Senate:

No. 80. An act to amend an act to revive an act, entitled "An act to incorporate the city of Logansport," approved January 13, 1845;

No. 71. An act to authorize the Governor, Auditor, and Treasurer of State to borrow a sum of money not exceeding ninety-five thousand dollars, to pay the interest due on the funded debt on the first day of January, 1849;

Which I am directed to bring to the Senate for the signature of the President thereof.

On motion by Mr. Hendricks,

The previous order of business was suspended, and leave granted to introduce the following bill:

By Mr. Hendricks,

No. 99. A bill to amend the practice in the Probate courts in this State, in case of sale of land;

Which was read a first time, and,

On motion by Mr. Hendricks,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

By Mr. Osborn,

No. 100. A bill to authorize the commissioners of Laporte county to settle with the securities of William Hawkins;

Which was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended and the bill read a second time, and,

On motion by Mr. Osborn,

The rules were further suspended and the bill considered as engrossed, read a third time and passed.

By Mr. Osborn,

No. 101. A bill to authorize the President of the Sinking Fund Commissioners to execute patents and deeds in certain cases;

Which was read a first time; and,

On motion by Mr. Osborn,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

By Mr. Rousseau,

No. 102. A bill to amend the law relative to actions on official bonds of certain officers;

Which was read a first time, and,

On motion by Mr. Rousseau,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

By Mr. Huffstetter,

No. 103. A bill changing the mode of doing county business in the county of Orange;

Which was read a first time; and,

On motion by Mr. Huffstetter,

The rules were suspended and the bill read a second time, and ordered to be engrossed for a third reading.

On motion by Mr. Morrison,

The previous order of business was suspended and leave granted him to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of the Board of Commissioners of Washington county, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 104. A bill to authorize the Board of Commissioners of Washington county to issue orders for the payment of the amount subscribed by said county to the capital stock of the New Albany and Salem rail road company;

Was read a first time; and,

On motion by Mr. Morrison,

The rules were suspended and the bill read a second time; and,

On motion by Mr. Morrison,

The rules were further suspended and the bill considered as engrossed, and read a third time and passed.

Mr. Millikin also asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the memorial of James Collins of Jay county, on the subject of divorcing said Collins, have had the same under consideration, and a majority of said committee have directed me to report the same back for the action of the Senate, and would respectfully ask to be discharged from the further consideration of the subject;

Whereupon said committee was discharged; and,

On motion by Mr. Milligan,
The memorial was recommitted to the committee on claims.
On motion,
The Senate adjourned.

THURSDAY MORNING, DECEMBER 21, 1848.

The Senate met ;

The journal of the preceding day was read.

Mr. Porter made the following report from the committee on federal relations :

MR. PRESIDENT :

The committee on federal relations to which was referred a joint-resolution of the Senate No. 52, entitled, "a joint-resolution relative to amendments in the constitution," have had that resolution under consideration and have directed me to report to the Senate that in the opinion of the committee legislation on that subject is inexpedient, and ask to be discharged from the further consideration of the subject ;

Which report was concurred in, and the joint-resolution was laid upon the table.

Mr. Orth made the following report from the committee on federal relations :

MR. PRESIDENT :

The committee on federal relations to which was referred a joint-resolution of the House No. 17, entitled, "a joint-resolution in relation to the existing post office laws," have had the same under consideration, and instructed me to report the same to the Senate with one amendment, upon the adoption of which, they respectfully recommend its passage.

Amendment :

Add to the first resolution as follows :

Also a general reduction of postage on newspapers, pamphlets, and periodical publications ;

Which amendment was adopted and the report concurred in, and the joint resolution ordered to a third reading.

Mr. English from the committee on claims made the following report :

MR. PRESIDENT :

The committee on claims to which was referred the petition of John Kromer, praying that an appropriation be made him for expenses incurred and time employed in attempting to capture, under a requisition of the Governor of this State, a fugitive from justice, and to which was also referred the evidence in support of said claim, have had the same under consideration, and have directed me to report the following bill and recommend its passage,

No. 105. A bill for the relief of John Kromer.

Was read a first time, and

Passed to a second reading.

Mr. Hamrick made the following report from a select committee:

MR. PRESIDENT :

The select committee to whom was referred the petition of Johnson Simpson and others praying the removal of a state road therein named, have had the same under consideration and directed me to report the accompanying bill and recommend its passage.

And bill,

No. 106. A bill to change a certain road therein named,

Was read a first time, and passed to a second reading.

Mr. Hendricks made the following report from a select committee:

MR. PRESIDENT :

The select committee to which referred the petition of 102 members of Washington Fire Company, No. 2, for an act of incorporation, have had the same under consideration and have directed me to report the following bill.

And bill

No. 107. A bill to incorporate the Washington Fire Company, No. 2,

Was read a first time, and passed to a second reading.

Mr. Porter made the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred the petition of William R. Goldsmith and Feilding Cromwell, have had the same under

consideration and have directed me to report the following bill in pursuance of the prayer of said petitioners.

And bill

No. 108. A bill to authorize the auditor of Harrison county to execute a deed to William Goldsmith of said county,

Was read a first time and passed to a second reading.

Mr. Holloway made the following report from a select committee:

MR. PRESIDENT :

The select committee to which was referred the petition of sundry citizens of West Richmond, asking the repeal of an act entitled "an act vacating a part of Howard street and certain alleys of West Richmond," approved January 15, 1846, have had the same under consideration, and have directed to report the following bill, and recommend its passage.

And bill

No. 109. A bill to repeal an act vacating Howard street in West Richmond,

Was read a first time, and passed to a second reading.

RESOLUTIONS INTRODUCED.

By Mr. Houghton,

Resolved, That the Senate will, the House of Representatives concurring herein, adjourn *sine die* on Tuesday the 15th of January next.

Which resolution was adopted.

By Mr. Millikin,

Resolved, That the committee on finance be instructed to enquire into the expediency of substituting for our present assessment system, the system now in force in the State of Ohio;

Which resolution was adopted.

By Mr. Dole,

Resolved, That the State Trustee of the Wabash and Erie Canal be requested to report to the Senate at the earliest day practicable, 1st, What steps have been taken (if any,) by the board of Trustees to comply with that portion of the law providing "for the payment of the State debt, and the completion of the Wabash and Erie Canal," which requires the said Trustees to construct a side cut canal to the Wabash river on sections 136 or 137, opposite the town of Clinton in Vermillion county.

2d, If no action has been had to comply with that portion of the act above referred to, report the reasons which have induced them to delay action on this subject.

3d, Does the reported scarcity of water in the main line of canal on the division above Coal creek, apply to that portion of the Wabash and Erie Canal between Coal creek and Terre Haute, when the side cut canal above mentioned is required to be constructed.

4th. If it should be ascertained that there will be a scarcity of water in dry seasons on that portion of the canal between coal creek and Terre Haute, report whether there are not water courses not proposed to be made feeders under the present arrangement of the work, which can be made to supply any deficiency that may occur on the portion of the canal referred to ;

Which resolution was adopted.

By Mr. Conduit,

Resolved, That the committee on finance be instructed to inquire into the expediency and practicability of so amending the revenue laws as to provide for the payment into the State Treasury of one third or one half of the revenue of the current year prior to the 1st day of January, with leave to report by bill or otherwise ;

Which resolution was adopted.

By Mr. Henry,

Resolved, That the assistant Secretary of the Senate be, and the same is hereby directed to place on the journals of the Senate, in the proper place, the remarks of the Senators from Jefferson and Floyd, in relation to the character and decease of the Hon. Samuel Goodenow ;

Which resolution was adopted.

BILLS INTRODUCED.

By Mr. Millikin,

No. 110. A bill to establish a male and female Institute in the city of Lawrenceburg, Dearborn county, Indiana ;

Which was read a first time, and,

On motion by Mr. Millikin,

The rules were suspended, and the bill read a second time, and referred to the committee on education.

By Mr. Randall,

No. 111. A bill to incorporate the Fort Wayne Medical Society ;

Which was read a first time, and,

On motion by Mr. Randall,

The rules were suspended, and the bill read a second time, and ordered to be engrossed for a third reading.

By Mr. Coates,

No. 112. A bill for the relief of H. K. Wright and Jacob Barcus ;

Which was read a first time, and,

On motion by Mr. Coates,

The rules were suspended, and the bill read a second time, and referred to the committee on claims.

Mr. Rousseau asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The committee to which was referred the petition of Amos Owen and others of Green county, praying the right to construct a mill dam across the west fork of White river in said county, have had that subject under consideration, and have directed me to report the following bill and respectfully recommend its passage :

And bill,

No. 113. A bill authorizing certain persons therein named, to build a mill dam across the west fork of White river ;

Which was read a first time, and passed to a second reading.

On motion by Mr. Davis,

Bill of the Senate No. 89, entitled " A bill in relation to the New Albany and Salem Railroad Company ;"

Was taken from the files of and by unanimous consent of the Senate.

Mr. Davis offered the following amendment to the bill :

Add to the first section the following words :

" Passed February 11th, 1848."

Which amendment was adopted, and,

The bill read a third time, and,

The question being, shall the bill pass?

And the ayes and noes being demanded by two Senators, they were ordered.

Those whose voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Conduit, Cornett, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, Evans, Garver, Graham, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Millikin, Milligan, Montgomery, Orth, Osborn, Read, Robinson, Rousseau, Simpson, Taber and Waters—32.

Those who voted in the negative are,

Messrs. Huffstetter, Morrison, Randall and Sleeth—4.

So the bill passed.

ORDERS OF THE DAY.

Bills of the Senate on their third reading.

No. 65. A bill to incorporate the Brookville and Fairfield Turnpike Company ;

Which was read a third time and passed.

No. 73. A bill relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of Revised Statutes of 1843 ;

Which was read a third time, and by unanimous consent of the Senate,

Mr. Osborn introduced the following amendment :

After the word " sold " in the first line of the second section, insert the words " or the congressional township ;"

Which amendment was adopted, and,

The bill passed.

No. 88. A bill fixing the salaries of the Trustees of the Wabash and Erie Canal ;

Which was read a third time, and by unanimous consent of the Senate,

Mr. Robinson offered the following amendment to the bill :

Add the following section to the bill.

Sec. —. And be it further enacted that the Legislature, in pursuance of a right reserved them by law, do hereby disapprove of the amount of the salary of the Trustees on part of the Bondholders, as allowed and fixed by the subscribing Bondholders, and hereby establish the same at the sums specified in the first section of this act ;

Which amendment was adopted.

The question being on the passage of the bill,

Mr. Henry moved to recommit the bill to the committee on the judiciary with the following instructions :

That said committee be instructed to inquire and report as to the authority of the Legislature to reduce said salaries.

The question being upon recommitting the bill with the above instructions,

Mr. Rousseau proposed the following amendment to the instructions :

That said committee be instructed to add in its proper place the following :

" Provided that the salary of the Trustee elected by the State, shall not at any time be less than that of the resident Trustee of the Bondholders ;

Which amendment to the instructions was adopted.

The question again recurring upon recommitting the bill to the committee on the judiciary, with the instructions as amended.

Mr. Rousseau moved further to amend the instruction as follows :

Amend by inserting the following in the proper place :

" That the President Judges of the Circuit Courts of this State shall hereafter receive a salary of \$1,000 each per annum."

Which amendment,

On motion,

Was laid upon the table.

Mr. Graham moved to reconsider the vote upon laying the amendment upon the table;

And the vote was reconsidered.

The question again recurring upon laying the last amendment upon the table,

It was decided in the affirmative;

And the amendment was laid upon the table.

The question again recurring upon recommitting the bill to the committee on the judiciary with the above instructions;

And the ayes and noes being demanded by two Senators,

They were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Cornett, Davis, Day of Kosciusko, Dole, Evans, Garver, Graham, Hamrick, Harvey, Hendricks, Henry, Herod, James, Martin, Miller, Osborn, Porter, Randall, Rousseau, and Simpson—21.

Those who voted in the negative are,

Messrs. Beard, Buckles, Cassatt, Coates, Conduit, Day of St. Joseph, Ellis, English, Hardin, Holloway, Houghton, Huffstetter, Malott, Millikin, Milligan, Montgomery, Morrison, Orth, Read, Robinson, Stewart, Taber, and Waters—23.

So the bill was not recommitting to the committee on the judiciary.

The question being upon the passage of the bill,

Mr. Porter moved to reconsider the vote ordering the bill to be engrossed for a third reading;

And before the question was taken,

On motion by Mr. Dole,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

On motion by Mr. Henry,

Leave of absence was granted to Mr. Adams until Wednesday next.

The Senate proceeded to the consideration of Senate bill, No. 88, entitled,

"A bill fixing the salaries of the Trustees of the Wabash and Erie Canal;"

The question being upon the motion to reconsider the vote ordering the bill to be engrossed for a third reading, and,

It was decided in the affirmative.

And the vote reconsidered.

The question then being upon ordering the bill to be engrossed for a third reading,

Mr. Porter offered the following amendment:

Strike out the second section and insert the following—

"Sec. 2. That the Legislature does hereby disapprove of the salaries of said Trustees as now fixed by the Bondholders, and that the Legislature does now, and will at all times hereafter, disapprove of any salary which shall be fixed at a greater amount than that established and provided for in the first section of this act.

"Sec. 3. Nothing in this act contained shall be so construed as at any time to reduce the salary of the Trustee on the part of the State below the amount to which the resident Trustee shall be entitled."

The question being upon the adoption of the amendment,

On motion by Mr. Orth,

The bill was recommitting to a select committee, consisting of Messrs. Orth, Henry, Dole, Robinson, and Hamrick.

Whereupon,

Mr. Robinson proposed the following instructions:

"That said committee report the bill back to the Senate by tomorrow morning;"

Which were adopted.

Whereupon,

Mr. Henry proposed farther to instruct said committee as follows:

"And the bill shall not be so amended as to reduce the salary of the Trustee on the part of the State below the salary of the resident Trustee on the part of the Bondholders;"

Which were not adopted.

The Senate then resumed the consideration of the

ORDERS OF THE DAY,

Bills on their Third Reading.

No. 13. A bill (of the House) to change the name of Mary Maranda Landrum;

Which was read a third time and passed.

No. 21. A bill to authorize Patsey C. Paden to sell certain real estate which she inherited from her father;

Which was read a third time and passed.

No. 30. A bill fixing the times of holding the several circuit courts in the eleventh judicial circuit;

Which was read a third time and passed.

No. 32. A bill (of the House) to amend an act, entitled "An act to incorporate the Centreville and Abbingdon Turnpike Company," approved February 12, 1848;

Which was read a third time and passed.

No. 39. A bill to amend and extend section 60, of chapter 38, of the Revised Laws of 1843, so far as Jefferson county is concerned;

Which was read a third time and passed.

No. 41. A bill to amend the law relative to costs in appeals from justices of the peace.

Which was read a third time and passed.

No. 43. A bill to amend the Statute regulating the granting of divorces;

Which was read a third time and passed.

No. 45. A bill authorizing David Moss to sell certain stone in Hamilton county;

Which was read a third time and passed.

No. 48. A bill authorizing the construction of Plank Roads.

Which was read a third time, and,

On motion by Mr. Osborn,

The bill was recommitted to a select committee, consisting of Messrs. Osborn, Stewart, and Orth, with the following instructions:

Amend as follows—

1st. Strike out of the first section all that requires the association to file copies of their articles of association, in the office of the Secretary of State.

2d. Strike out "Secretary of State," in the second line of the fourteenth section, and insert in lieu thereof, "County Recorder."

3d. Strike out "ten," in the 7th line of the seventeenth section, and insert in lieu thereof, "three," so that it shall read "three dollars."

No. 49. A bill relative to the Law Library;

Which was read a third time and the question being upon the passage of the bill, and the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Ellis, Evans, Garver, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, James, Millikin, Milligan, Montgomery, Orth, Osborn, Porter, Randall, Read, Robinson, Simpson, Sleeth, and Stewart—30.

Those who voted in the negative are,

Messrs. Coates, Dole, English, Graham, Hamrick, Huffstetter, Malott, Martin, Miller, Morrison, Taber, and Waters—12.

So the bill passed.

No. 55. A bill (House) to amend an act to authorize a company to construct the Aurora and Laughery Turnpike. Approved, Feb. 15, 1848;

Which was read a third time and passed.

No. 74. A bill to repeal section three, chapter twenty-eight, Revised Statutes 1843, relative to contracts with Indians;

Which was read a third time and passed.

No. 75. A bill to incorporate the General Association of Baptists, in Indiana;

Which was read a third time and passed.

No. 78. A bill for the relief of William Armstrong;

Which was read a third time and passed.

No. 81. A bill to incorporate the Madison Marine Insurance Company;

Which was read a third time and passed.

No. 82. A bill to incorporate the Richmond Bridge and Turnpike Company;

Which was read a third time and passed.

No. 85. A bill for the relief of Lavina Whistley;

Which was read a third time and passed.

No. 87. A bill to amend an act entitled "an act, to authorize the construction of Plank or Coal roads." Approved, 16th February, 1848;

Which was read a third time and passed.

No. 98. An act for the relief of the Trustees of the Methodist Episcopal Church in the town of Rockford;

Which was read a third time and passed.

No. 103. A bill changing the mode of doing county business in the county of Orange;

Which was read a third time and passed.

BILLS ON THEIR SECOND READING.

No. 28. A bill (House) to amend an act, entitled an act, relative

to high waters in Jackson county. Approved, 16th February, 1848;

Which was read a second time and ordered to a third reading.

No. 54. A bill (House) to amend an act, entitled an act, to incorporate the town of New Castle, in the county of Henry;

Which was read a second time and ordered to a third reading.

No. 63. A bill (House) for the relief of John McCulloch, of Cass county;

Which was read a second time and ordered to a third reading.

No. 90. A bill to increase the pay of the Auditor of Hamilton county;

Which was read a second time and ordered to a third reading.

No. 91. A bill to extend the time of the sessions of the March and June terms of the Board of Commissioners of Knox county;

Which was read a second time; and,

On motion by Mr. Ellis,

The rules were suspended and the bill considered as engrossed, read a third time and passed.

Mr. Osborn from a select committee, asked and obtained leave to make the following report:

MR. PRESIDENT:

The select committee, to whom was referred the bill of the Senate, No. 48, entitled a bill authorizing the construction of Plank Roads, has considered the same and have instructed me to report it back to the Senate, with the amendments contained in the instructions, and when so amended, recommend its passage.

Which amendments were adopted and the report concurred in and the bill passed.

No. 93. A joint resolution relative to colonizing the free people of color in the United States;

Which was read a second time and referred to the committee on federal relations.

No. 92. A bill to authorize the voters of the county of Decatur, to vote in any township in said county;

Which was read a second time; when,

Mr. Adams moved to amend the bill by adding the county of Brown;

Which amendment was adopted.

Mr. English moved further to amend, by adding the county of Jackson;

Which amendment was adopted.

Mr. Miller moved further to amend the bill, so as to make its provisions general;

Upon the adoption of which amendment, the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Conduit, Hamrick, Houghton, James, Malott, Miller, Morrison, and Porter—8.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Cornett, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Evans, Garver, Graham, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Martin, Millikin, Milligan, Montgomery, Orth, Osborn, Randall, Read, Robinson, Simpson, Sleeth, Stewart, Taber, and Waters—35.

So the amendment was not adopted.

The question being upon ordering the bill to be engrossed, and the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Cassatt, Conduit, Day of St. Joseph, English, Garver, Graham, Hamrick, Hardin, Hendricks, Houghton, James, Osborn, Porter, Randall, Robinson, and Sleeth—18.

Those who voted in the negative are,

Messrs. Beard, Coates, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Evans, Harvey, Henry, Herod, Holloway, Malott, Martin, Millikin, Milligan, Miller, Montgomery, Morrison, Orth, Read, Simpson, Stewart, Taber, and Waters—25.

So the Senate refused to order the bill to be engrossed.

No. 96. A joint resolution to authorize the purchase of the picture of Tippecanoe battle ground;

Which was read a second time, when

Mr. Miller moved to amend joint resolution as follows:

Strike out the words "two hundred," and insert in lieu thereof the words "one hundred;"

Which amendment was adopted.

The question being upon ordering the joint resolution to be engrossed for a third reading, and the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Houghton, James, Martin, Milligan, Miller, Montgom-

ery, Orth, Porter, Randall, Read, Robinson, Simpson, and Taber—27.

Those who voted in the negative are,

Messrs. English, Evans, Garver, Graham, Hardin, Henry, Holloway, Huffstetter, Malott, Morrison, Osborn, Sleeth, Stewart, and Waters—14.

So the joint resolution was ordered to be engrossed for a third reading.

Mr. Randall asked and obtained leave to withdraw from the files of the Senate bill of the last session, No. 251, entitled

An act to incorporate the Fort Wayne and Southern Railroad Company.

The following message was received from the House of Representatives by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate without amendment:

No. 22. An act to incorporate a company to construct a Railroad from Evansville on the Ohio river to connect with the Ohio and Mississippi Railroad, at or near Olney, in the State of Illinois, *via* Princeton, Gibson county, Indiana, and Mt. Carmel, Illinois.

On motion by Mr. Hardin, the previous order of business was suspended, and leave granted him to introduce the following bill:

No. 114. A bill to incorporate the Franklin and White River Turnpike and Trust company;

Which was read a first time; and

On motion by Mr. Hardin,

The rules were suspended, and the bill read a second time and referred to the committee on corporations.

Mr. Randall asked and obtained leave to introduce the following bill:

No. 115. A bill to incorporate the Fort Wayne and Southern Railroad company;

Which was read a first time; and,

On motion by Mr. Randall,

The rules were suspended, and the bill read a second time and referred to the committee on corporations.

On motion by Mr. Miller,

Bill of the Senate, No. 67, entitled

A bill to repeal part of article seven of chapter forty-five of the Revised Statutes of 1843,

Was taken from the table, and

The question being,

Shall the bill be engrossed for a third reading,

It was decided in the negative;

So the Senate refused to order the bill to be engrossed for a third reading.

The Senate then proceeded to the consideration of the following bills contained in a message heretofore taken up, as follows:

No. 36. A bill to change the name of Andrew Turner, alias John Turner, to that of John Anderson Barnes;

Which was read a first time and passed to a second reading.

No. 46. A bill to amend an act providing for the appointment of Supervisors of highways in the counties of Decatur, Jefferson, and Spencer, approved December 26, 1844;

Was read a first time; and,

On motion,

The rules were suspended and the bill read a second time; and,

On motion,

The rules were further suspended and the bill read a third time and passed.

No. 49. A bill relative to the school funds in the county of Clark;

Which was read a first time and passed to a second reading.

No. 52. A bill for the relief of Alvin N. Blackledge and the heirs of Robert Thompson, deceased;

Which was read a first time and passed to a second reading.

Mr. Cassatt asked and obtained leave to introduce the following resolution:

Resolved, That the State Librarian be directed to furnish this Senate a certified copy of joint-resolution No. 212, which passed the legislature at the session of 1847-8, and not returned to this Senate by his Excellency the Governor, nor published among the laws of last session;

Which resolution was adopted.

Mr. Hamrick from the committee on enrolled bills made the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the Senate No. 71 and 80.

The following message was received from the House of Representatives by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House has passed the following joint-resolution:

No. 96. A joint-resolution in relation to the time of payment of the semi-annual interest due the Bondholders of this State ;

In which the concurrence of the Senate is respectfully requested.

And joint-resolution contained in the message entitled,

No. 96. A joint-resolution in relation to the time of payment of the semi-annual interest due the Bondholders of this State ;

Was read a first time and passed to a second reading.

The following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House has passed the following engrossed joint-resolution thereof :

No. 18. Joint-resolution on the subject of Slavery.

In which the concurrence of the Senate is respectfully requested.

And joint-resolution contained in the message entitled ;

No. 18. A joint-resolution on the subject of Slavery ;

Was read a first time and passed to a second reading.

On motion,

The Senate adjourned.

FRIDAY MORNING, DECEMBER 22, 1848.

The Senate met.

The journal of the preceding day was read.

PETITIONS PRESENTED.

By Mr. Herod,

The petition of Temple Sparks and others, praying for the repeal of all laws making a distinction in color ;

Which was read ; and,

On motion by Mr. Herod,

Was referred to the judiciary committee.

By Mr. Milligan,

The petition of citizens of Jay and Adams counties praying for the passage of a law to incorporate the Fort Wayne and Winchester Railroad company ;

Which was read ; and,

On motion by Mr. Milligan,

Was referred to a select committee consisting of,

Messrs. Milligan, Randall, and Buckles.

By Mr. Malott,

The petition of sundry citizens of the county of Lawrence, praying the repeal of all special laws in force in said county, in relation to roads, and the extension of the general laws of the State to said county ;

Which was read ; and,

On motion by Mr. Malott,

Was referred to a select committee consisting of,

Messrs. Malott, Morrison, and Rousseau.

RESOLUTIONS INTRODUCED.

By Mr. Osborn,

Resolved, That the committee on unfinished business be instructed to report to the Senate bill of the House No. 377, of the last session of the General Assembly ;

Which was adopted.

By Mr. Waters,

Resolved, That the committee on agriculture be instructed to report a bill so amending the estray laws, as to provide that where any horse, mare, or gelding is taken up estray, the person so taking up shall not be allowed for keeping such horse, mare, or gelding, during the time the same was so kept, if said horse is a work horse ;

Which was adopted.

ORDERS OF THE DAY.

Bills and Joint-resolutions on their third reading.

No. 17. A joint-resolution of the House, in relation to the existing post office laws ;

Which was read a third time and passed.

No. 28. A bill (House) to amend an act entitled, "an act relative to high waters in Jackson county," approved February 16th, 1848 ;

Which was read a third time and passed.

No. 63. A bill (House) for the relief of John McCulloch of Cass county ;

Which was read a third time and passed.

No. 90. A bill to increase the pay of the Auditor of Hamilton county ;

Which was read a third time and passed.

No. 96. A joint-resolution to authorize the purchase of the picture of the Tippecanoe battle ground ;

Which was read a third time, and the question being upon the passage of the joint-resolution,

The ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Ellis, Harvey, Hendricks, Herod, Houghton, James, Marsh, Martin, McCarty, Millikin, Miller, Montgomery, Orth, Porter, Randall, Read, Rousseau, Simpson, and Taber—25.

Those who voted in the negative are,

Messrs. Coates, Dole, English, Evans, Graham, Hamrick, Hardin, Holloway, Huffstetter, Malott, Milligan, Morrison, Osborn, Robinson, Stewart, and Waters—16.

So the joint-resolution passed.

No. 111. A bill to incorporate the Fort Wayne Medical Society ;
Which was read a third time and passed.

BILLS AND JOINT-RESOLUTIONS ON THEIR SECOND READING.

No. 18. A joint-resolution (House) on the subject of Slavery ;

Which was read a second time ; when,

Mr. Orth offered the following amendment to the joint-resolution :
Strike out all after the word "resolved" in the first section, and insert in lieu thereof, the following :

"By the General Assembly of the State of Indiana, That our Senators in Congress be and they are hereby instructed, and our Representatives requested, to use their influence and vote in favor of the passage of a law providing that their shall be neither slavery nor involuntary servitude in any of said Territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted.

Resolved, That the Governor forward duly certified copies of the foregoing preamble and resolutions to each of our Senators and Representatives in Congress, and to the Governors of the several States of this Union."

Also prefix the following preamble to the joint-resolution :

"WHEREAS, The people of Indiana regard slavery as a great moral and political evil,

AND WHEREAS, The United States have recently acquired from the Republic of Mexico a large amount of territory which is now free, and which in the opinion of this General Assembly ought forever to remain free ;

AND WHEREAS, It is the opinion of this General Assembly that Congress possesses the power under the Constitution to prohibit the extension of Slavery into such territory, and that it is right and proper that such power be exercised."

The question being upon striking out and and inserting, as above proposed,

Mr. Stewart called for a division of the question,

And the Chair having decided the question to be susceptible of division, stated,

That the first question will be upon striking out as proposed by Mr. Orth ;

And the ayes and noes were demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Montgomery, Orth, Osborn, Porter, Randall, Robinson and Simpson—27.

Those who voted in the negative are,

Messrs. Coates, English, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Read, Rousseau, Sleeth, Stewart, Taber and Waters—19.

So the Senate determined to strike out the joint resolutions, from and after the word "Resolved" in the first section thereof.

The question then recurring upon "inserting" as proposed by Mr. Orth,

When Mr. Buckles moved to refer so much of the original resolution as had not been stricken out, and the pending amendments, to the committee on federal relations,

And during the consideration of the question and before the same was taken,

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled bills of the House :

No. 9. An act to incorporate the Ladies Sigourney Library at Logansport;

No. 27. An act to amend an act entitled "An act for the relief of certain persons therein named," approved February 16, 1848;

Which I am directed to bring to the Senate for the signature of the President thereof.

On motion by Mr. Buckles,
Leave of absence was granted Mr. Garver until Wednesday next.

On motion by Mr. Davis,
The Senate adjourned.

Two o'clock, P. M.

The Senate met.

On motion by Mr. English,
Leave of absence was granted to Mr. Green.

On motion by Mr. Stewart,
Leave of absence was granted to Mr. Walpole.
Mr. Stewart moved a called of the Senate;
Which was ordered.

The call having been gone through with, and all the Senators answering to their names, except those to whom leave of absence had been granted, and Senators Ellis, Martin, Miller, and Rousseau,

On motion by Mr. Taber,
Mr. Martin was excused, and

On motion by Mr. Orth,
The absentees were sent for.

On motion by Mr. Hamrick,
The further call was suspended.

On motion by Mr. Porter,
Leave of absence was granted to Mr. Herod until Tuesday next.

On motion by Mr. Hubbard,
Leave of absence was granted to Mr. Hendricks until Tuesday next.

The following message was received from the House of Representatives, by Mr Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment:

No. 69. An act to incorporate the United Protestant German Saint Zion Church in Union township, Shelby county, Indiana.

The Senate then resumed the consideration of joint resolution of the House, entitled,

No. 18. Joint Resolutions on the subject of slavery.

The question being upon the motion by Mr. Buckles to refer so much of the original resolutions as had not been stricken out, and the pending amendments to the committee on federal relations.

Whereupon,

Mr. Robinson moved to amend the motion to refer by adding the following instructions to the committee:

That said committee be instructed to insert the following preamble and resolutions:

JOINT RESOLUTIONS ON THE SUBJECT OF SLAVERY.

Whereas, by the late treaty with the Republic of Mexico, the Government of the United States has attained a large acquisition of Territory, embracing New Mexico and California; and whereas, by several enactments of the Republic aforesaid, slavery and involuntary servitude were forever abolished in the States and Provinces belonging thereto; and whereas, policy, humanity, and the progress of the age require that our political and social institutions should be based upon great and elevated principles of justice, both in reference to the white and black races; and whereas, this General Assembly is firmly convinced that a friendly interchange of opinion, on all contested points, among this sisterhood of States, will prove mutually beneficial, in settling all questions effecting their mutual interests; and whereas, it is our solemn conviction that the Congress of the United States, as the guardian of our infant Territories, possess the right to interdict domestic slavery the same; and whereas, this General Assembly, and those represented by it, entertain the opinion that the peace, stability, and welfare of the whole Union would be promoted by the exercise of that right, thereby giving earnest of the advance of liberal sentiments, and accelerating the progress of republican institutions throughout the world: Therefore,

Be it enacted by the General Assembly of the State of Indiana, That our Senators in Congress be instructed, and our Representatives be requested, to use their influence in favor of, and cast their votes for, a law or joint resolution which shall prohibit the existence or establishment of slavery or involuntary servitude in the Territories of California and New Mexico, otherwise than in the punishment of crimes whereof the party shall have been duly convicted.

Resolved further, That the acquisition of Louisiana, Florida, and Texas, where domestic slavery existed, and their incorporation into the family of American States, gave high guarantees of the compromising spirits of the States denominated free, and exhibited to

the world those lofty notions of patriotism, which, on all proper occasions, has signalized the acquisition of new territory to the American Union.

Resolved further, That this General Assembly, in the spirit of fraternal regard, would invoke for these opinions the consideration of all connected, in any way, with the institution of slavery, under the firm conviction that, as this territory came to us *free*, it should be permitted to remain so, thereby adding new evidences of patriotic compromise, which, on so many honorable occasions, has distinguished the history of our beloved country.

Resolved further, That the Governor of Indiana be requested to transmit, without delay, a copy of the preamble and resolutions to each of our Senators and Representatives in Congress.

The question being upon committing with the instructions,

Mr. Read called for a division of the question,

And the chair (Mr. McCarty in the chair,) having decided the question susceptible of division, stated

That the first question would be upon referring;

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Buckles, Coates, English, Evans, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—21.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Montgomery, Orth, Osborn, Porter, Robinson, and Simpson—23.

So the Senate refused to refer.

The question then recurring upon inserting the amendment proposed by Mr. Orth in lieu of that part of the original resolutions, which had heretofore been stricken out,

When Mr. Milligan moved to amend the amendment as follows:

Strike out the first resolution contained in the amendment from and after the word "law" in the seventh line and insert in lieu thereof the following,

"Prohibiting the introduction of slavery into said territories during their territorial existence" otherwise than in the punishment of crime whereof the party shall have been duly convicted.

The question being upon the adoption of the amendment to the amendment.

And before the question was taken,

Mr. Hardin moved that the Senate adjourn,

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Buckles, Day, of St. Joseph, English, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Miller, Morrison, Read, Sleeth, Stewart, Taber, and Waters—18.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coates, Conduit, Cornett, Davis, Day, of Kosciusko, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Milligan, Montgomery, Orth, Osborn, Porter, Randall, Robinson, Rousseau, and Simpson—26.

So the Senate refused to adjourn.

Whereupon

Mr. Buckles moved that he Senate adjourn.

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Buckles, Coates, Day, of St. Joseph, English, Evans, Graham, Hardin, Henry, Huffstetter, James, Marsh, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—23.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, and Simpson—22.

So the Senate adjourned.

SATURDAY MORNING, DEC. 23, 1848.

The Senate met;

The journal of the preceding day was read.

Mr. Hardin from the committee on corporations made the following report:

MR. PRESIDENT :

The committee on corporations to which was referred a bill of the Senate No. 114, to incorporate the Franklin and White River Turnpike and Trust company have had the same under consideration, and have instructed me to report the same to the Senate with amendments and upon their adoption to recommend its passage.

1st amendment, amend title by striking out the word "Trust."

2d amendment, strike out all after the word Franklin in the 19th section together with the 20th section ;

Which amendments were adopted,

The report concurred in, and,

On motion by Mr. Hardin,

The rules were suspended, and

The bill considered as engrossed, and

Read a third time, and passed.

Mr. Hardin, from the committee on roads, made the following report :

MR. PRESIDENT :

The committee on roads, to which was referred a resolution of the Senate instructing them "to inquire into the expediency of so amending the road laws as to make the compensation of supervisors to depend upon the number of hands worked," have instructed me to report that in their opinion it is inexpedient to legislate upon that subject, and ask to be discharged from the further consideration thereof ;

Which report was concurred in ;

And the committee discharged.

Mr. McCarty, from the committee on federal relations, made the following report :

MR. PRESIDENT :

The committee on federal relations to which was referred joint resolution, No. 26, of the Senate, have directed me to report the same back without amendment, and recommend its passage ;

Which report was concurred in ; and,

On motion by Mr. Marsh,

The rules were suspended, and,

Joint resolution,

No. 26. A joint resolution relative to the independence of Liberia ;

Was read a third time, and,

The question being,

"Shall the joint resolution pass?"

And the ayes and noes being demanded by two Senators,
They were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Coates, Conduit, Cornett, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Evans, Graham, Hamrick, Hardin, Henry, Holloway, Houghton, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Milligan, Miller, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Simpson, Sleeth, Taber, and Waters—40.

Those who voted in the negative are,

None.

So the joint resolution passed.

Mr. Buckles, from a select committee, made the following report :

MR. PRESIDENT :

The select committee, to whom was referred a bill of the Senate, No. 24, repealing a certain act therein named, have had the same under consideration, and directed me to report said bill with the following amendments :

Insert after the word "repealed," the words "So far as the same applies to and effects the eleventh judicial circuit." And after the word "effect," in the last line in said bill, the words "in said circuit," and recommend its passage ;

Which amendments were adopted, and the report concurred in ;
And,

On motion by Mr. Buckles,

The rules were suspended, and bill,

No. 24. A bill repealing a certain act therein named,

Was considered as engrossed, read a third time, and passed.

Mr. Milligan made the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of many citizens of Jay and Adams counties on the subject of incorporating the Winchester and Fort Wayne Railroad, have had the same under consideration, and have directed me to report the following bill and respectfully recommend its passage :

No. 116. A bill to incorporate the Winchester and Fort Wayne Railroad Company ;

Mr. Orth asked and obtained leave to introduce the following bill :

No. 119. A bill appointing commissioners in the case of Morehead, Hall, and Company ;

Which was read a first time and passed to a second reading.

Mr. Randall asked and obtained leave to introduce the following bill :

No. 120. A bill to incorporate the Fort Wayne and Bluffton Turnpike Company ;

Which was read a first time, and,

On motion by Mr. Randall,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

Mr. Cassatt asked and obtained leave to introduce the following resolution :

Resolved, That the resolution passed at the present session, calling upon His Excellency to return to this Senate bill No. 212, passed at the last session of the General Assembly, be rescinded so far as the same relates to the aforesaid bill ;

Which was adopted.

Mr. Huffstetter asked and obtained leave to introduce the following resolution :

Resolved, That the committee on unfinished business be instructed to obtain from the Librarian a bill providing for a revision of the road laws of this State, which passed the House at the last session, and was not acted on by the Senate for want of time ;

Which resolution was adopted.

The following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the House :

No. 46. An act to amend an act providing for the appointment of supervisors of highways in the counties of Decatur, Jefferson, and Spencer, approved December 26, 1844.

No. 32. An act to amend an act entitled "an act to incorporate the Centreville and Abington Turnpike company," approved February 12, 1848.

No. 13. An act to change the name of Mary Maranda Landrum.

No. 55. An act to amend "an act to authorize a company to construct the Aurora and Laughery Turnpike," approved February 15, 1848.

Which I am directed to bring to the Senate for the signature of the President thereof.

On motion,
The Senate adjourned until Tuesday morning next at 9 o'clock.

TUESDAY MORNING, DEC. 26, 1848.

The Senate met pursuant to adjournment ;

The journal of Saturday was read.

PETITIONS PRESENTED.

By Mr. Martin,

The petition of several German citizens of Lagrange county, praying for an act allowing the Common Schools, for a portion of the time, to be taught in the German Language ;

Which,

On motion by Mr. Martin,

Was referred to the committee on education.

By Mr. English,

The petition of sundry citizens of Scott county, praying the passage of an act for the relief of William A Bain ;

Which,

On motion by Mr. English,

Was referred to a select committee consisting of

Messrs. English, Read, and Davis.

Mr. Hubbard from the committee on corporations, made the following report :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 120, entitled a bill to incorporate the Fort Wayne and Bluffton Turnpike Company, has had the same under consideration and directed me to report the same back to the Senate, and recommend its passage.

And the bill still being open to amendment.

Mr. Millikin offered the following amendment :

Add the following section to the bill :

SEC.—It shall be lawful, for the county of Wells, in the State of

Indiana, to take, and subscribe stock, in said company, and for the purpose of taking and subscribing the same, the board doing county business in said county, are hereby authorized to subscribe and take stock therein; and levy tax for county purposes not exceeding one dollar on each hundred dollars valuation of property assessed, to be applied to the object aforesaid. And the county aforesaid, shall hold such stock, as individual stock is held in said company, in every respect whatsoever. Provided, however, the board aforesaid shall not subscribe or take any stock as aforesaid, until a majority of the legal voters shall direct the same to be taken by a direct vote thereon.

Which amendment was adopted and the bill ordered to be engrossed for a third reading.

Mr. Millikin made the following report, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate, No. 84, have had the same under consideration and directed me to report it back to the Senate, with the following amendments, and when adopted, recommend its passage.

Amendments referred to in the above report:

Strike out all of the third section, except the four first lines, and insert the following, to-wit.:

"Enter upon, take and hold the right of way of as much real estate as is necessary to construct said Rail Road upon, and also to enter upon the land adjacent to said Rail Road, to procure materials for the purpose of constructing said road.

2d Amendment. Strike out the 5th section and insert the following:

Whenever any real estate is so taken, or is damaged, the Arbitrators, court or jury, trying the case, shall estimate the advantages of said road to the owner of said real estate and deduct the same from the damages and find for the claimant the balance only if any there be; if there be none, the claimant shall pay all costs, if damages be recovered the company shall pay all cost in all cases.

Which amendments were adopted, report concurred in and the bill ordered to be engrossed for a third reading.

Mr. Sleeth from the committee on corporations, made the following report:

MR. PRESIDENT:

The committee on corporations, to whom was referred Senate bill, No. 115, entitled "a bill to incorporate the Fort Wayne and

Southern Rail Road Company," have had the same under consideration and have directed me to report the same back to the Senate, with one amendment, and recommend its passage after the adoption of the same:

Amendment: Strike out the words "Locks" and "Aqueducts" in the 22d section.

Which amendment was adopted, the report concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Morrison from the committee on finance, made the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred a resolution of the Senate, instructing them to "inquire into the expediency of introducing a joint resolution making provisions, (if agreeable to our Bondholders,) changing the time of payment of the semi-annual interest to said Bondholders, so as to suit the revenue of the State, have had the same under consideration and in compliance with the above resolution, have directed me to report the following joint resolution and respectfully recommend its passage:

No. 121. A joint resolution to authorize the Agent of State, to negotiate with the Bondholders, relative to the payment of the interest on the State Debt;

Was read a first time and passed to a second reading.

Mr. Graham from a joint select committee, made the following report:

MR. PRESIDENT:

The committee appointed by the Senate, to act with a similar committee, on the part of the House of Representatives, in counting and examining the State Bonds and interest Coupons, received and cancelled by James Collins, Agent of State, since his incumbency, have given that subject early attention, and now report the result of that examination:

It is proper to remark here, that when the committee of the Senate reported, at the last session of the General Assembly, a small portion of the Bonds received and cancelled by Mr. Bright, (the former Agent,) were not at Indianapolis, from the fact that a few surrenders were made after Mr. Bright had left New York, and could not be conveyed in time for the action of the committee. These Bonds were as follows: Ten surrendered by Chas. Stetson, five surrendered by Edwin Croswell, one by Ambrose C. Kingsland, and one hundred and fifty-five bonds surrendered by August Belmont, (registered and exchanged in the name of N. M. Rothschilds and

sons,) which, as the committee then remarked, were in the Agency office, New York. These Bonds, (one hundred and seventy-one in number,) were submitted to the inspection of the undersigned, on the 19th inst., by Mr. Collins, as the successor of Mr. Bright; and on counting them, find that they correspond in every particular with the report made by Mr. Bright. The committee deem it proper to refer to these Bonds, thus especially, that Mr. Bright, as a retired officer of the State, may have just credit for the accuracy which distinguished his public conduct.

The committee have examined the packages of State Bonds, enumerated below, and find them to correspond with the report of Mr. Collins, the interest allowed in each case corresponding with the Coupons due and unpaid, viz.:

R. Lafonta, - - - - -	16 Bonds.
J. R. Shields, - - - - -	5 Bonds.
W. & Jas. A. Gasquet, - - - - -	8 Bonds.
W. S. Halibird, - - - - -	1 Bond.
Otley, Post, & Whiting, - - - - -	20 Bonds.
Robert Sanders, - - - - -	10 Bonds.
Edwin Bridgman, - - - - -	6 Bonds.
Hugh D. Ranicoek, - - - - -	5 Bonds.
Adelaide Maria Gabrilla Gibbs, - - - - -	7 Bonds.
Joseph Holden, - - - - -	3 Bonds.
Jno. W. Treadwell, - - - - -	4 Bonds.
H. W. Fitzhugh, - - - - -	3 Bonds.
Davis, Brooks, & Co., - - - - -	5 Bonds.
Stephen Hannaford, - - - - -	10 Bonds.
Wm. & Jas. Currie, - - - - -	2 Bonds.
Wetmore & Cryder, - - - - -	12 Bonds.
Quintin Dick, - - - - -	1 Bond.
Geo. R. Sistare, - - - - -	1 Bond.
Wm. H. King, - - - - -	1 Bond.
Margaret Hart, - - - - -	5 Bonds.
James Helford, - - - - -	9 Bonds.
Thomas Potts, - - - - -	5 Bonds.
Gornan & Mart, - - - - -	1 Bond.
Sarah Ann Higgins, - - - - -	1 Bond.
H. Powers, - - - - -	1 Bond.
Arthur Bailey, - - - - -	2 Bonds.
Geo. W. Norton, - - - - -	3 Bonds.
Geo. K. Sistare, - - - - -	5 Bonds.
Olivia M. North, - - - - -	6 Bonds.
Jno. E. Fox, - - - - -	2 Bonds.
Wood, Grant, & Co., - - - - -	1 Bond.
Thos. C. Crawford, - - - - -	2 Bonds.
J. M. Martyn, - - - - -	2 Bonds.
Uriel Crocker, - - - - -	6 Bonds.
Seabury Brewster, - - - - -	4 Bonds.

M. R. Eames, - - - - -	2 Bonds.
Isham Hendersons, - - - - -	4 Bonds.
J. G. Suare, (in trust for Zaluetta & Co.), - - - - -	5 Bonds.
M. G. Allen & Geo. Grant, - - - - -	2 Bonds.
Quintin Dick, - - - - -	1 Bond.
J. L. Rogers, (Trustees,) - - - - -	2 Bonds.
Sylvester Hale, - - - - -	2 Bonds.

Besides the above enumerated Bonds, submitted for examination, numbering one hundred and ninety-three (193,) the following were also surrendered:

Thos. Hudson, - - - - -	31 Bonds.
S. C. Dortie, - - - - -	2 Bonds.

In the package of Mr. Hudson, all the Bonds were found to be properly exchanged, except Internal Improvement *Interest* bond, No. 35, issued and dated March, 1841, attached to which, were but three Coupons, viz.: July, 1842, January, 1843, and July, 1843, and the committee noticed, by referring to the non-subscribing register, that the Agent of State, had issued certificates for \$300, accrued in interest, instead of \$75, showing an apparent error of \$225. Likewise, in the packet surrendered by S. C. Dortie, bond, No. 3, 807, was entitled, (from the number of Coupons attached,) to but \$300 of accrued interest, while the register referred to would indicate that certificates were issued for \$325, making an apparent error in this of \$25. These errors, though apparent from the books and bonds, are doubtless susceptible of correction, and the committee express the opinion that the Agent of State will lose no time in doing so, at the earliest moment when he shall be apprised of the mistake.

In all things else appertaining to the business of the Agency, so far as it has come under the review of the committee, there appears regularity, promptitude, and accuracy, a fact as creditable to Mr. Collins, as it must be gratifying to this General Assembly.

All of which is respectfully submitted.

C. C. GRAHAM,
Chairman on part of the Senate.

RESOLUTIONS INTRODUCED.

By Mr. Millikin,

Resolved, That the committee on finance be instructed to inquire into the expediency of allowing the county Treasurers' mileage for collecting taxes off of delinquents, as recommended by the Auditor in his last report, on page 76.

Which was adopted.

By Mr. McCarty,

Resolved, That the committee on education be instructed to enquire into the expediency of establishing a chair in the State University, at Bloomington, for instruction in agriculture and agricultural chemistry.

Which was adopted.

By Mr. Randall,

Resolved, That a committee of five Senators be appointed to ascertain and report to the Senate the amount of Wabash and Erie Canal scrip, east and west of Tippecanoe, legally issued, the amount redeemed, the amount now outstanding, whether any illegal re-issues have been made of said scrip, and whether the Trustees of the Wabash and Erie Canal are legally or equitably bound to redeem the whole amount of said scrip now outstanding.

Which was adopted; and,

Messrs. Randall, Taber, Cassatt, Montgomery and Coates, were appointed said committee.

By Mr. Orth,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of legalizing the assessments that have been made by Congressional townships instead of civil townships.

Which was adopted.

The following message was received from the House of Representatives by Mr. Dodd their Clerk.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have concurred in the engrossed amendment of the Senate, to engrossed bill of the House:

No. 35. An act authorizing Justices of the Peace in Harrison county to perform the duties of Coroner in certain cases;

Without amendment.

JOINT RESOLUTIONS AND BILLS INTRODUCED.

By Mr. Ellis,

No. 122. A bill to require notice in all cases of application to the Legislature for the amendment of municipal charters.

Which was read a first time, and,

On motion by Mr. Ellis,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

By Mr. Stewart,

No. 123. A bill to incorporate the Indiana Fire and Marine Insurance Company.

Which was read a first time, and,

On motion by Mr. Stewart,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

By Mr. Hubbard,

No. 124. A bill to repeal a part of the third article of the 31st chapter of the Revised Statutes of 1843.

Which was read a first time, and,

On motion by Mr. Hubbard,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

By Mr. McCarty,

No. 125. A bill to amend an act incorporating the Brookville and West Union Turnpike Company.

Which was read a first time, and,

On motion by Mr. McCarty,

The rules were suspended and the bill read a second time, and,

On motion by Mr. McCarty,

The rules were further suspended, and the bill considered as engrossed, read a third time, and passed.

By Mr. Robinson,

No. 126. A bill more effectually to prevent retailing spirituous liquors.

Which was read a first time and passed to a second reading.

By Mr. Stewart,

No. 127. A bill to incorporate the Great Western Insurance Company, in the county of Marion, State of Indiana.

Which was read a first time, and,

On motion by Mr. Stewart,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

By Mr. Sleeth,

No. 128. A bill to incorporate the Shelbyville arm of the Shelbyville and Edinburgh Lateral Branch Rail Road Company.

Which was read a first time, and,

On motion by Mr. Sleeth,

The rules were suspended and the bill read a second time, and ordered to be engrossed for a third reading.

By Mr. Millikin,

No. 129. A bill to incorporate the Lawrenceburgh and Aurora Bridge Company.

Which was read a first time, and,

On motion by Mr. Millikin,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

By Mr. Robinson,

No. 130. A bill to repeal an act entitled "an act to amend the first article of the fifty third chapter of the revised laws of 1843, and for other purposes, approved 19th January, 1846.

Which was read a first time, and,

On motion by Mr. Robinson,
The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

By Mr. Buckles,

No. 131. A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company ;

Which was read a first time, and,

On motion by Mr. Buckles,

The rules were suspended, and the bill read a second time, and,

On motion by Mr. English,

The bill was laid upon the table.

By Mr. Read,

No. 132. A bill to authorize county Treasurers to redeem the six and one-fourth per cent. Treasury notes ;

Which was read a first time, and,

On motion by Mr. Read,

The rules were suspended, the bill read a second time, and referred to the committee on finance.

By Mr. Orth,

No. 133. A bill in relation to the election of a justice of the peace in Fairfield township in Tippecanoe county ;

Which was read a first time, and,

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time ; and,

On motion by Mr. Orth,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Orth,

No. 134. A bill relative to the execution of decrees in chancery ;

Which was read a first time, and,

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time, and ordered to be engrossed for a third reading.

By Mr. Osborn,

No. 135. A bill to authorize the commissioners of Porter county to employ a Physician for the poor ;

Which was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Osborn,

The rules were further suspended, and the bill considered as engrossed, and read a third time, and passed.

By Mr. Miller,

No. 136. A joint resolution in relation to certain official documents connected with the conduct of the Second Indiana Regiment ;

Which was read a first time, and,

On motion by Mr. Miller,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Rousseau,

Referred to the committee on military affairs.

ORDERS OF THE DAY.

Bills on their Third reading.

No. 54. A bill (of the House) to amend an act, entitled "An act to incorporate the town of Newcastle, in the county of Henry ;
Which was read a third time and passed.

BILLS AND JOINT RESOLUTIONS ON THEIR SECOND READING.

No. 18. Joint resolution (of the House) on the subject of slavery ;
Which was read, and,

On motion by Mr. Osborn,

The joint resolution was postponed until Wednesday at 2 o'clock, P. M.

No. 36. A bill (of the House) to change the name of Andrew Turner, alis John Turner, to that of John Anderson Barnes ;
Which was read a second time, and ordered to a third reading.

No. 49. A bill (of the House) relative to school funds in the county of Clark ;

Which was read a second time, and ordered to a third reading.

No. 52. A bill (of the House) for the relief of Alvin N. Blackledge and the heirs of Robert Thompson, deceased ;

Which was read a second time, and ordered to a third reading.

No. 96. A joint resolution (of the House) in relation to the time of payment of the semi-annual interest due the bondholders of this State ;

Which was read a second time, when,

Mr. Orth proposed the following amendment :

Strike out from the word "Whereas," and insert as follows—

"The annual payments of revenue do not fall due at the Treasury in time to pay the January instalment of interest on the State Debt, and, in consequence, legislative provision becomes every year necessary to authorize the negotiation of temporary loans to meet said payments : And whereas, to provide against the failure of making such payment at any future period for want of legislative action in the premises, and to avoid the necessity for temporary loans, it is desirable to effect with the Stockholders an equitable arrangement to postpone the payment of the January instalment :
Therefore,

"Be it resolved by the General Assembly of the State of Indiana, That the Agent of State be, and he is hereby, authorized and instructed to correspond and negotiate with the Stockholders, and upon equitable terms contract with them to postpone the time of payment of the January instalment of interest to some convenient time after the 1st of March annually ; and said Agent is hereby further authorized to contract on the part of the State to unite the January and July instalments, or dividends, and to agree with said Stock-

holders to pay said instalments in one annual payment on the 1st day of July, or at any subsequent period that may be stipulated or agreed upon by the contracting parties;"

Which amendment was adopted; and,

On motion by Mr. Orth,

The rules were suspended, and the joint resolution as amended was read a third time and passed.

SENATE BILLS.

No. 105. A bill for the relief of John Kromer;
Which was read a second time, and ordered to be engrossed for a third reading.

No. 106. A bill to change a certain State road therein named;
Which was read a second time, and ordered to be engrossed for a third reading.

No. 107. A bill to incorporate the Washington Fire Company,
No. 2;

Which was read a second time, and referred to the committee on corporations.

No. 108. A bill to authorize the auditor of Harrison county, to execute a deed to William Goldsmith of said county;

Which was read a second time and

Ordered to be engrossed for a third reading.

No. 109. A bill to repeal an act vacating Howard street in West Richmond;

Which was read a second time, and

Ordered to be engrossed for a third reading.

No. 113. A bill authorizing certain persons therein named to build a mill dam across the west fork of White river;

Which was read a second time, and

On motion by Mr. Miller,

Referred to the committee on canals and internal improvements.

No. 116. A bill to incorporate the Winchester and Fort Wayne Rail Road company;

Which was read a second time and

Referred to the committee on corporations.

No. 119. A bill appointing a commissioner in the case of Morehead, Hall, and company;

Which was read a second time and

Referred to the committee on claims.

The following message was received from the House of Representatives, by Mr. Dodd their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 42. An act to authorize the commissioners of Hamilton, Tipton, and Miami counties to borrow money.

In which the concurrence of the Senate is respectfully requested.

And bill contained in the message entitled,

No. 42. An act to authorize the commissioners of Hamilton, Tipton, and Miami counties to borrow money;

Which was read a first time, and,

On motion by Mr. Buckles,

The rules were suspended, and the bill read a second time; and,

On further motion by Mr. Buckles,

The rules were further suspended, and the bill read a third time, and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bill of the Senate with sundry amendments:

No. 46. An act fixing the time of holding the courts in the counties of Lake, Porter, and Laporte.

In which amendments of the House the concurrence of the Senate is respectfully requested.

Which engrossed amendments of the House to said bill, were concurred in by the Senate.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 85. An act in relation to bridges, &c., in Fayette county.

In which the concurrence of the Senate is respectfully requested.

And the bill contained in the message entitled,

No. 85. A bill in relation to bridges, &c., in Fayette county;

Was read a first time, and

On motion by Mr. Simpson,

The rules were suspended, and the bill read a second time, and

On further motion by Mr. Simpson,

The rules were further suspended, and the bill read a third time, and passed.

And on motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Miller asked and obtained leave to introduce the following bill:

No. 137. A bill more effectually to protect the property of married women;

Which was read a first time, and

On motion by Mr. Miller,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

The President laid before the Senate a communication from the Trustee of the Wabash and Erie Canal on the part of the State, in answer to a resolution of the Senate, inquiring what steps had been taken in regard to the construction of side cuts on sections 136 and 137, and why said side cuts have not been made, and making sundry other inquiries;

Which communication was,

On motion,

Laid on the table, and,

On motion,

The Senate adjourned.

WEDNESDAY MORNING, DECEMBER 27, 1848.

The Senate met.

The journal of the preceding day was read.

Mr. Hendricks presented the petition of Thomas Wise and others, praying the location of a State road in Jefferson and Ripley counties; which,

On motion by Mr. Hendricks,

Was referred to the committee on roads.

Mr. Herod, from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The committee on the judiciary to whom was referred the petition of Harvey Pease and others, praying for the repeal of all laws making a distinction between colored and white people, have had the same under consideration, and directed me to report that legis-

lation upon that subject at this time would be inexpedient, and ask to be discharged from the further consideration of the same;

Which report was concurred, and the committee discharged.

Mr. Porter, from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The judiciary committee to which was referred the memorial of the yearly meeting of Anti-slavery Friends, on the subject of capital punishment, have had the subject of that memorial under consideration, and have directed me to report to the Senate that in their opinion further legislation on the subject of capital punishment is unnecessary;

Which report was concurred in.

Mr. Sleeth from the committee on the judiciary made the following report:

MR. PRESIDENT:

The judiciary committee to whom was referred House bill No. 20, entitled "An act for the relief of Isaac Hardy and others," have had the same under consideration, and directed me to report the same back to the Senate, without amendment, and recommend its passage;

Which report was concurred in, and bill,

No. 20. A bill (of the House) for the relief of Isaac Hardy and others;

Was ordered to a third reading.

Mr. Hubbard, from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the Senate No. 28, together with certain instructions in relation thereto, has had the same under consideration, and a majority of said committee have directed me to report the same back to the Senate for its action with the following amendments, and said committee asks to be discharged from the further consideration of the subject:

Amendments referred to in the above report:

Strike out sections 3, 4, 5, 6, 7 and 8, and insert the following:

Section 3. Any householder or man having a family, may select as exempt from levy and sale under any execution, property of the value of one hundred and twenty-five dollars.

Sec. 4. When any execution defendant by virtue of the acts to which this is an amendment, shall designate real estate to be levied upon, the same shall be sold at not less than one one half of its appraised value; and if personal property is designated by such defendant, the same shall be sold for any sum not less than one-third of its appraised value.

Sec. 5. If the execution defendant when called upon for that purpose by the proper officer shall fail or refuse to designate property to be levied upon, then in that case the execution plaintiff, his agent or attorney may select what part of the property of the defendant, subject to execution, shall be levied upon, and if real estate is selected the same shall sell for any sum not less than two thirds of its appraised value; and if personal property is selected, the same shall be sold for any sum not less than one half of its appraised value.

Sec. 6. So much of the thirteenth article of the fortieth chapter and of the twelfth article of forty-seventh chapter of the Revised Statutes of 1843, as are inconsistent with the provisions of this act, be, and the same are hereby repealed; but nothing in this act shall be construed to alter or repeal an act entitled "An act to require the bank to continue specie payments, and maintain them," approved February 13, 1843.

Sec. 7. This act shall be in force from and after the 1st day of June, 1849, and shall only extend to contracts made after said date.

Which amendments were adopted.

The question being upon ordering the bill so amended to be engrossed for a third reading,

Mr. Robinson moved to indefinitely postpone said bill;

And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Buckles, Day of St. Joseph, Ellis, English, Graham, Hamrick, Houghton, Huffstetter, Millikin, Milligan, Montgomery, Morrison, Robinson, Rousseau, Simpson, Walpole, and Waters—17.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coates, Cornett, Davis, Day of Kosciusko, Dole, Evans, Garver, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Hubbard, James, Marsh, Malott, Martin, McCarty, Miller, Orth, Osborn, Porter, Randall, Read, Sleeth, Stewart, and Taber—30.

So the bill was not indefinitely postponed.

Whereupon,

Mr. Dole moved to reconsider the vote on the adoption of the amendments proposed by the committee;

And it was reconsidered.

The question again recurring upon the adoption of the amendments proposed by the committee,

Mr. Dole proposed the following amendment to the amendment:

Strike out the words "one-half" wherever the same occur in the amendment, in relation to real estate, and insert in lieu thereof the words "two-thirds."

The question being upon the adoption of the amendment,

Mr. English moved to re-commit the bill and pending amendments to a select committee, to consist of one Senator from each Congressional District, with the following instructions:

That said committee be instructed so to amend the bill as to make personal property and real estate subject to like valuation and appraisement.

The question being upon re-committing the bill and pending amendments to the select committee, with the above instructions,

Mr. Orth called for a division of the question,

Which was ordered.

And the question being,

Will the Senate re-commit the bill?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Buckles, Cornett, Day of Kosciusko, Day of St. Joseph, Ellis, English, Graham, Hardin, Holloway, Houghton, Huffstetter, Millikin, Milligan, Miller, Montgomery, Morrison, Read, Robinson, Rousseau, Simpson, Sleeth, Walpole, and Waters—23.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coates, Davis, Dole, Evans, Garver, Harvey, Hendricks, Henry, Herod, Hubbard, James, Marsh, Malott, Martin, McCarty, Orth, Osborn, Porter, Randall, Stewart, and Taber—23.

So the Senate refused to re-commit said bill.

The question then recurring on the adoption of the amendment to the amendment,

Mr. Robinson moved to postpone the further consideration of the bill and pending amendments, until Saturday next.

And upon the question of postponing, the ayes and noes being demanded by two Senators, were ordered.

Those who voted in the affirmative are,

Messrs. Buckles, Cornett, Day of Kosciusko, Day of St. Joseph,

Ellis, English, Graham, Hamrick, Hardin, Holloway, Huffstetter, Millikin, Miller, Montgomery, Morrison, Robinson, Rousseau, Simpson, Sleeth, Walpole, and Waters—21.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coates, Davis, Dole, Evans, Garver, Harvey, Hendricks, Henry, Herod, Houghton, Hubbard, James, Marsh, Malott, Martin, McCarty, Milligan, Orth, Osborn, Porter, Randall, Read, Stewart, and Taber—26.

So the bill and pending amendments were not postponed.

And the question again recurring upon the adoption of the amendment to the amendment,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Evans, Graham, Hamrick, Hardin, Harvey, Henry, Herod, Holloway, Houghton, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Montgomery, Morrison, Porter, Read, Robinson, Rousseau, Simpson, Stewart, Walpole, and Waters—34.

Those who voted in the negative are,

Messrs. Cassatt, Coates, Cornett, Garver, Hendricks, Hubbard, Marsh, Martin, Orth, Osborn, Randall, Sleeth, and Taber—13.

So the amendment to the amendment was adopted.

The question then recurring upon the adoption of the amendment proposed by the committee as amended; when,

Mr. Walpole proposed further to amend the amendment as follows: Add in the proper place the following:

“Personal property, and rents, and profits, shall in like manner be appraised, and shall not be sold on execution for a less sum than two thirds of the value thereof, which shall be appraised in the same manner as real estate.

The question being upon the adoption of the amendment to the amendment; and,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Coates, Cornett, Davis, Day,

of Kosciusko, Day of St. Joseph, Dole, Ellis English, Evans, Graham, Hamrick, Hardin, Harvey, Henry, Herod, Holloway, Houghton, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Montgomery, Morrison, Porter, Read, Robinson, Rousseau, Simpson, Stewart, Walpole, and Waters—37.

Those who voted in the negative are,

Messrs. Garver, Hendricks, Hubbard, Marsh, Martin, Orth, Osborn, Randall, Sleeth, and Taber—10.

So the amendment to the amendment was adopted.

The question again recurring on the adoption of the amendment as amended; when,

Mr. Henry proposed the following amendment to the amendment: Strike out the following words in section 3d, to-wit:

“Any householder or man having a family,” and insert in lieu thereof the following words to-wit: “any resident householder or a resident having a family;

Which amendment to the amendment was adopted.

The question again recurring upon the adoption of the amendment proposed by the committee as amended, and before the same was taken,

On motion by Mr. Miller,
The Senate adjourned.

Two o'clock, P. M.

The Senate met;

The following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled bills of the House:

No. 19. A joint-resolution in relation to the existing post office laws.

No. 63. An act for the relief of John McCulloch of Cass county.

No. 35. An act authorizing Justices of the Peace in Harrison county to perform the duties of Coroner in certain cases.

No. 28. An act to amend an act entitled, "an act relative to high water in Jackson county," approved February 16th, 1848.

Which I am directed to bring to the Senate for the signature of the President thereof.

Also the following message was received from the House of Representatives, by Mr. Dodd their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendment of the Senate to engrossed joint-resolution of the House ;

No. 17. A joint-resolution in relation to the existing post office laws ;

Without amendment.

Mr. Marsh moved a call of the Senate which was ordered :

The call having been gone through with, and all the Senators answering thereto except,

Messrs. Adams, Buckles, Coats, Conduit, Day of St. Joseph, English, Evans, Garver, Graham, Green, Hardin Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Osborn, Randall, Read, Sleeth, and Stewart ;

On motion by Mr. Ellis,

The further call was dispensed with.

ORDERS OF THE DAY.

Bills on their Third Reading.

No. 36. A bill (of the House) to change the name of Andrew Turner, alias John Turner, to that of John Anderson Barnes ;

Which was read a third time and passed.

No. 49. A bill (of the House) relative to school funds in the county of Clark ;

Which was read a third time and

On motion,

It was laid upon the table.

No. 52. A bill (of the House) for the relief of Alvin N. Blacklidge and the heirs of Robert Thompson, deceased ;

Which was read a third time and passed.

No. 84. A bill to incorporate the Rockport and Washington Rail Road Company ;

Which was read a third time and passed.

No. 105. A bill for the relief of John Kromer ;

Which was read a third time and passed.

No. 106. A bill to change a certain State road therein named ;

Which was read a third time and passed.

No. 108. A bill to authorize the auditor of Harrison county to execute a deed to William R. Goldsmith of said county ;

Which was read a third time and passed.

No. 109. A bill to repeal an act vacating Howard street in West Richmond ;

Which was read a third time and passed.

No. 115. A bill to incorporate the Fort Wayne and Southern Rail Road Company ;

The bill was read a third time ; and,

On motion by Mr. Marsh,

The bill was laid upon the table.

No. 120. A bill to incorporate the Fort Wayne and Blufton Turnpike company ;

Which was read a third time and

Laid upon the table.

No. 128. A bill to incorporate the Shelbyville and Edinburgh Lateral Branch Rail Road company ;

Which was read a third time and

Laid on the table.

No. 134. A bill relative to the execution of decrees in chancery ;

Which was read third time and passed.

JOINT RESOLUTION AND BILLS ON THEIR SECOND READING.

No. 121. A joint resolution to authorize the Agent of State to negotiate with the bond-holders relative to the payment of the interest on the State debt ;

Which was read a second time, and

On motion by Mr. Ellis,

Laid upon the table.

No. 126. A bill more effectually to prevent retailing spirituous liquors ;

Which was read a second time,

When Mr. Harvey moved to so amend the bill as to make its provisions apply to the county of Decatur only ;

Which amendment was adopted.

Mr. Cornett moved further to amend the bill by adding

The county of "Ripley ;"

Which was adopted.

Mr. Hendricks moved further to amend by adding

The county of "Jefferson ;"

Which amendment was adopted.

Mr. Millikin moved further to amend by adding

The county of "Dearborn ;"

Which was adopted.

Mr. Evans moved further to amend by adding

The county of "Henry,"

Which was adopted.

Mr. Day of Kosciusko moved further to amend by adding

The counties of Kosciusko, Whitley and Huntington ;”

Which was adopted and the bill as amended was ordered to be engrossed for a third reading.

On motion by Mr. Orth the consideration of joint resolutions of the House entitled,

No. 18. Joint resolution on the subject of slavery,
Was resumed.

The question being upon the adoption of the amendment proposed by Mr. Milligan to the amendment proposed by Mr. Orth to the joint resolutions,

When Mr. Orth moved to lay the amendment to the amendment upon the table.

Whereupon,

Mr. Henry rose to debate the motion to lay upon the table,

When the President (Mr. Walpole in the chair) decided that a motion to lay upon the table was a privileged question, and was not debatable.

From which decision of the President the Senator from Vigo and the Senator from Marion appealed, and sent up their appeal in the following words:

The President of the Senate (Mr. Walpole in the chair) decides that a motion to lay on the table is not debatable, from which decision the Senator from Vigo and the Senator from Marion appeal;

The question being,

“ Shall the decision of the President stand as the judgment of the Senate ?”

And the ayes and noes being demanded by two Senators,

They were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Evans, Garver, Graham, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Milligan, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Simpson, and Walpole—28.

Those who voted in the negative are,

Messrs. Adams, Buckles, Day, of St. Joseph, English, Hardin, Henry, Huffstetter, James, Malott, Martin, McCarty, Millikin, Miller, Morrison, Read, Sleeth, Stewart, Taber, and Waters—19.

So the decision of the President was declared the judgment of the Senate.

The question then recurring upon laying the amendment to the amendment upon the table,

And the ayes noes being demanded by two Senators,

They were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Montgomery, Orth, Osborn, Porter, Robinson, Simpson, and Walpole—22.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Day of St. Joseph, English, Evans, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, Martin, McCarty, Millikin, Milligan, Miller, Morrison, Read, Sleeth, Stewart, Taber, and Waters—24.

So the amendment to the amendment was not laid upon the table.

By unanimous consent the further consideration of the joint resolution and pending amendments was postponed ;

When the President laid before the Senate the following communication from His Excellency, the Governor :

To the General Assembly of the State of Indiana :

In transmitting to you this my resignation of the office of Governor of the State of Indiana, I beg to assure you, and through you the people of the State generally, of my fervent gratitude for the manifestations of their regard and confidence with which they have repeatedly honored me. In taking leave of my present position—a position which I have now held for five years continuously—I may be indulged in saying that, in the discharge of its duties through a period commencing in trial and in gloom—in doubt and in discouragement—in embarrassment and in difficulty—a period of variant plans and of diverse counsels—calling for a more than ordinary exercise of prudence and firmness, and involving a more than ordinary amount of responsibility, I am far, very far, from claiming for myself an exemption from error. I only desire to say that any such error, the result of inadvertence or imperfection of judgment, has not been at variance with a constant sense of duty to the public welfare, and a deep and heartfelt desire to promote the general happiness.

If individual interests have seemed, at times, to be disregarded—if sectional claims have been apparently unheeded—if even the claims of friendship have appeared to be overlooked, it has only been because I have thought that private obligations should not be discharged from public trusts, and that my paramount allegiance as an officer was due to the people who rightfully looked to me for protection of their interests—to the people of that State in which

I have lived for a quarter of a century, and within whose bosom I expect to leave my remains.

I have steadily endeavored, therefore, with what success it becomes not me to say, stimulated as well by a sense of gratitude as by official duty, to advance by every honorable means in my power the great, the substantial, and the lasting interests of the people of Indiana, as the best return I could make to them for their friendship and confidence.

Differing occasionally on important questions of public policy, with those who shared my friendship and my respect, whether in the origination of important measures, or in the exercise of my constitutional power, of dissent from such as had received legislative approval, or whether in executive matters of an isolated or discretionary character, I have felt, unaffectedly and deeply felt, my great need of the liberality of the members of the General Assembly, and of my fellow citizens at large.

In this connection, permit me also to return my respectful thanks to the honorable the members of the Legislature for the distinguished honor they have recently conferred upon me, and which occasions this resignation. In thus assigning me another theatre of action—in the councils of the nation—they have imposed upon me the task of a constant endeavor, to the best of my humble ability, to justify this signal mark of their confidence.

But while it will there be my duty to strive for the prosperity, the honor, and the perpetuity of our happy union, and to secure to Indiana a due share in its rights and advantages, let it never be forgotten that, apart from the safety and integrity of that union, our welfare must mainly depend upon the domestic administration of our own affairs—upon the wise management of our State government. And I beg to say in conclusion that, although removed from any immediate participation in its affairs, no exertions on my part will be spared, at any time, for the promotion of so desirable a result.

JAMES WHITCOMB.

Indianapolis, December 26, 1848.

Which,

On motion by Mr. Miller,

Was ordered to be spread upon the journal.

Whereupon,

The Hon. Paris C. Dunning, President of the Senate, and Lieut. Governor of the State of Indiana, rose in his place and addressed the Senate, as follows :

Gentlemen of the Senate :

I avail myself of this occasion, upon retiring from the discharge of the duties of presiding officer of this body, to return you my very grateful acknowledgments for the courtesy with which I have been

treated personally by each member of the Senate, and more especially for the efficient aid which I have experienced from this body in the discharge of the complicated duties of the chair.

My connection with you, as President of the Senate, is not about to be dissolved, yet I cherish the pleasing hope that those feelings of friendship which have been here engendered, will not cease to exist with a dissolution of that connection, but that we may each continue to cherish for the other, that pure spirit of patriotism and friendship which always characterizes the conduct of patriotic men of all political parties, and more particularly those public servants who represent constituencies in this Senate chamber whose interests are identical.

During the period I have had the honor to preside over your deliberations, many exciting questions of public policy have been brought forward for discussion, well calculated in their nature to arouse sectional feelings, and party animosities. In this critical situation, it has been my constant aim to allay those sectional feelings and party animosities, and if at any time I have failed faithfully and impartially to discharge the duties of my station, I can confidently assert, that it was an error of judgment, and not of intention.

Senators : You are the agents of the people of a young and powerful State ; many are the important trusts which have been confided for decision to your good sense and patriotism as legislators, and I trust that a retrospect of your past legislative labors will not prove unproductive of beneficial results to the public interest ; yet there are questions of great importance to the people to be acted upon by you, amongst which, and paramount to all others, is that of a well digested system of *Free Common Schools* ; this is the engrossing measure of the present session of the Legislature, and ought to receive from this body a full share of considerate legislative action. May I cherish the hope that you will, by your future legislative conduct, prove your deep devotion to this, the greatest interest of your respective constituencies, and especially to the juvenile portion of them. It is a measure which commends itself to your notice by every consideration of humanity and enlightened public policy. I am aware that a system of this character cannot be supported without a resort to taxation—a measure well calculated at all times to arouse the prejudices and excite the fears of the people, yet I cannot retire from my present station, without leaving, in this public manner, my humble testimony in favor of taxation to the utmost ability of the people, to sustain this, the most glorious cause that can engage the attention of the philanthropist or statesman.

Senators : I shall not cease to cherish with feelings of pride, the latest period of my existence, the friendly regard, which you have always manifested for me : and in conclusion permit me to invoke upon you individually, and upon your legislative action, the choicest blessings of Him who rules over the destinies of men and nations.

and having concluded, he retired from the Chair.

Whereupon,

On motion by Mr. Orth, the Senate proceeded to the election of President of the Senate, *tem.*, in the place of the Hon. Paris C. Dunning, who had *me ex-officio* Governor of the State of Indiana, by the resignation of his Excellency, James Whitcomb.

Messrs. Beard and Henry acting as tellers.

and upon counting the first balloting, it appeared that—

Mr. Miller received	- - - -	20 votes.
Mr. Marsh received	- - - -	13 votes.
Mr. Orth received	- - - -	10 votes.
Scattering,	- - - -	3 votes.
Blank,	- - - -	2 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a second balloting.

and upon counting the same, it appeared that—

Mr. Miller received	- - - -	21 votes.
Mr. Marsh received	- - - -	19 votes.
Scattering,	- - - -	6 votes.
Blank,	- - - -	2 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a third balloting;

and upon counting the same, it appeared that—

Mr. Marsh received	- - - -	21 votes.
Mr. Miller received	- - - -	20 votes.
Mr. Stewart received	- - - -	3 votes.
Mr. Waters received	- - - -	1 vote.
Blank,	- - - -	3 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a fourth balloting;

and upon counting the same, it appeared that—

Mr. Marsh received	- - - -	21 votes.
Mr. Stewart received	- - - -	23 votes.
Scattering,	- - - -	1 vote.
Blank,	- - - -	3 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a fifth balloting;

and upon counting the same, it appeared that—

Mr. Marsh received	- - - -	18 votes.
Mr. Stewart received	- - - -	25 votes.
Scattering,	- - - -	3 votes.
Blank,	- - - -	4 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a sixth balloting;

And upon counting the same, it appeared that—

Mr. Marsh received	- - - -	20 votes.
Mr. Stewart received	- - - -	18 votes.
Scattering,	- - - -	5 votes.
Blank,	- - - -	5 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a seventh balloting;

And upon counting the same, it appeared that—

Mr. Marsh received	- - - -	19 votes.
Mr. Graham received	- - - -	19 votes.
Scattering,	- - - -	8 votes.
Blank,	- - - -	2 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to an eighth balloting;

And upon counting the same, it appeared that—

Mr. Graham received	- - - -	19 votes.
Mr. Marsh received	- - - -	17 votes.
Scattering,	- - - -	9 votes.
Blank,	- - - -	3 votes.

No Senator having received a majority of all the votes given, before the Senate proceeded to a ninth balloting;

Mr. Simpson moved that the Senate adjourn,

And the ayes and noes being demanded by two Senators were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Cornett, Davis, Day, of Kosciusko, Ellis, English, Garver, Harvey, Hendricks, Herod, Holloway, Hutton, Hubbard, Marsh, Martin, Montgomery, Orth, Osborn, Robinson, Rousseau, Simpson, and Walpole—25.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Day, of St. Joseph,

Graham, Hamrick, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, and Waters—22.

So the Senate adjourned.

THURSDAY MORNING, DECEMBER 28, 1848.

The Senate came to order.

The Senate refused to consent to the reading of the journal of the preceding day.

By unanimous consent a call of the Senate was ordered.

The call having been proceeded with and all the Senators answering thereto except,

Messrs. Green, Conduit, and Montgomery.

By consent the further call was suspended.

On motion by Mr. Orth,

The Senate proceeded to a ninth balloting for the election of President *pro. tem.* of the Senate; and upon counting the same it appeared that,

Mr. Marsh received	-	-	-	-	21 votes.
Mr. Graham received	-	-	-	-	21 votes.
Scattering	-	-	-	-	1 votes.
Blank	-	-	-	-	3 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a tenth balloting, and upon counting the same it appeared that,

Mr. Marsh received	-	-	-	-	20 votes.
Mr. Randall received	-	-	-	-	21 votes.
Scattering	-	-	-	-	2 votes.
Blank	-	-	-	-	4 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to an eleventh balloting, and upon counting the same it appeared that,

Mr. Marsh received	-	-	-	-	19 votes.
Mr. Randall received	-	-	-	-	21 votes.
Scattering	-	-	-	-	3 votes.
Blank	-	-	-	-	3 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a twelfth balloting, and upon counting the same it appeared that,

Mr. Marsh received	-	-	-	-	22 votes.
Mr. Randall received	-	-	-	-	19 votes.
Scattering	-	-	-	-	3 votes.
Blank	-	-	-	-	5 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a thirteenth balloting, and upon counting the same it appeared that,

Mr. Marsh received	-	-	-	-	23 votes.
Mr. Morrison received	-	-	-	-	11 votes.
Mr. Read received	-	-	-	-	4 votes.
Scattering	-	-	-	-	5 votes.
Blank	-	-	-	-	4 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a fourteenth balloting, and upon counting the same it appeared that,

Mr. Marsh received	-	-	-	-	20 votes.
Mr. Morrison received	-	-	-	-	15 votes.
Mr. Read received	-	-	-	-	4 votes.
Scattering	-	-	-	-	4 votes.
Blank	-	-	-	-	3 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a fifteenth balloting, and upon counting the same it appeared that,

Mr. Marsh received	-	-	-	-	16 votes.
Mr. Morrison received	-	-	-	-	14 votes.
Mr. Orth received	-	-	-	-	6 votes.
Mr. Read received	-	-	-	-	3 votes.
Scattering	-	-	-	-	4 votes.
Blank	-	-	-	-	4 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a sixteenth balloting, and upon counting the same it was found that,

Mr. Read received	-	-	-	-	16 votes.
Mr. Marsh received	-	-	-	-	9 votes.
Mr. McCarty received	-	-	-	-	5 votes.
Mr. Beard received	-	-	-	-	4 votes.
Scattering	-	-	-	-	10 votes.
Blank	-	-	-	-	3 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a seventeenth balloting, and upon counting the same it was found that,

Mr. Read received	-	-	-	15 votes.
Mr. Marsh received	-	-	-	8 votes.
Mr. Beard received	-	•	•	6 votes.
Scattering	-	-	•	11 votes.
Blank	-	-	-	4 votes.

No Senator having received a majority of all the votes given, and before the Senate proceeded to an eighteenth balloting,

On motion by Mr. Ellis,
The Senate adjourned.

Two o'clock, P. M.

The Senate met.

Mr. Orth moved a call of the Senate,
Which was ordered.

The call having been proceeded with, and all the Senators answering thereto, excepting Messrs. Green, Garver, Montgomery, and Rousseau.

On motion by Mr. Stewart,
The further call was suspended.

Mr. Houghton moved that leave of absence be granted to Mr. Rousseau,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Day of St. Joseph, English, Evans, Graham, Hardin, Henry, Houghton, Huffstetter, James, Malott, Martin, Millikin, Milligan, Miller, Morrison, Osborn, Randall, Read, Simpson, Sleeth and Stewart—24.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Hubbard, Marsh, Orth, Porter, Robinson, Taber, Walpole and Waters—20.

So leave of absence was granted to Mr. Rousseau.

Mr. Millikin moved that leave of absence be granted to Mr. Montgomery until to-morrow evening,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Cornett, Day of Kosciusko, Day of St. Joseph, English, Evans, Graham, Hardin, Harvey, Hendricks,

Henry, Houghton, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Miller, Morrison, Orth, Porter, Randall, Read, Robinson, Sleeth, Stewart, Taber and Waters—32.

Those who voted in the negative are,

Messrs. Beard, Conduit, Davis, Ellis, Hamrick, Herod, Holloway, Hubbard and Osborn—9.

So leave of absence was granted to Mr. Montgomery.

The Senate then proceeded to an eighteenth balloting for President of the Senate, pro. tem., and upon counting the same, it appeared that

Mr. Marsh received	-	-	-	23 votes.
Mr. Read received	-	-	-	17 votes.
Scattering,	-	-	-	3 votes.
Blank,	-	-	-	5 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a nineteenth balloting, and,
Upon counting the same it appeared that

Mr. Marsh received	-	-	-	22 votes.
Mr. Read received	-	-	-	15 votes.
Scattering,	-	-	-	5 votes.
Blank,	-	-	-	7 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a twentieth balloting, and,
Upon counting the same it appeared that

Mr. Marsh received	-	-	-	8 votes.
Mr. Orth received	-	-	-	17 votes.
Mr. Read received	-	-	-	7 votes.
Scattering,	-	-	-	6 votes.
Blank,	-	-	-	9 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a twenty-first balloting, and,
Upon counting the same it appeared that

Mr. Walpole received	-	-	-	17 votes.
Mr. Read received	-	-	-	5 votes.
Mr. Marsh received	-	-	-	6 votes.
Mr. Evans received	-	-	-	11 votes.
Scattering,	-	-	-	5 votes.
Blank,	-	-	-	3 votes.

No Senator having received a majority of all the votes given, the

Senate proceeded to a twenty-second balloting, Messrs. Stewart and Ellis acting as tellers.

Upon counting the same it appeared that

Mr. Beard received	- - - -	18 votes.
Mr. Evans received	- - - -	9 votes.
Mr. Marsh received	- - - -	5 votes.
Mr. Read received	- - - -	4 votes.
Scattering,	- - - -	8 votes.
Blank,	- - - -	2 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a twenty-third balloting, and upon counting the same, it appeared that

Mr. McCarty received,	- - - -	17 votes.
Mr. Porter received	- - - -	12 votes.
Mr. Marsh received	- - - -	7 votes.
Scattering	- - - -	5 votes.
Blank	- - - -	5 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a twenty-fourth balloting, and upon counting the same, it appeared that

Mr. Marsh received	- - - -	21 votes.
Mr. McCarty received	- - - -	12 votes.
Mr. Morrison received	- - - -	7 votes.
Scattering	- - - -	4 votes.
Blank	- - - -	7 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a twenty-fifth balloting, and upon counting the same, it appeared that

Mr. Marsh received	- - - -	22 votes.
Mr. McCarty received	- - - -	11 votes.
Scattering	- - - -	8 votes.
Blank	- - - -	7 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a twenty-sixth balloting, and upon counting the same, it appeared that

Mr. Marsh received	- - - -	22 votes.
Mr. Morrison received	- - - -	8 votes.
Mr. Evans received	- - - -	7 votes.
Scattering	- - - -	5 votes.
Blank	- - - -	6 votes.

No Senator having received a majority of all the votes given, and before the Senate proceeded to a twenty-seventh balloting, Mr. Millikin moved to adjourn.
And the ayes and noes being demanded by two Senators, They were ordered.

Those whose voted in the affirmative are,

Messrs. Adams, Day of St. Joseph, English, Evans, Graham, Hardin, Henry, Huffstetter, McCarty, Millikin, Milligan, Miller, Read, Sleeth and Stewart—15.

Those who voted in the negative are,

Messrs. Beard, Buckles, Cassatt, Coates, Conduit, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Garver, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, James, Marsh, Martin, Morrison, Orth, Osborn, Porter, Randall, Robinson, Rousseau, Simpson, Taber, Walpole, and Waters—32.

So the Senate did not adjourn.

Whereupon

The Senate proceeded to a twenty-seventh balloting, and upon counting the same, it appeared that

Mr. Marsh received	- - - -	22 votes.
Mr. Graham received	- - - -	16 votes.
Mr. Morrison received	- - - -	4 votes.
Blank	- - - -	6 votes.

No Senator having received a majority of all the votes given, the Senate proceeded to a twenty-eighth balloting, and upon counting the same, it was found that

Mr. Marsh received	- - - -	22 votes.
Mr. Graham received	- - - -	17 votes.
Scattering	- - - -	3 votes.
Blank	- - - -	6 votes.

No Senator having received a majority of all the votes given, and before the Senate proceeded to another balloting,

Mr. Martin moved that the Senate adjourn,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are :

Messrs. Adams, Buckles, Cassatt, Day, of St. Joseph, Evans, Garver, Hardin, Henry, Herod, Houghton, Huffstetter, Martin, McCarty, Millikin, Milligan, Miller, Randall, Read, Sleeth, and Waters—20.

Those who voted in the negative are :

Messrs. Beard, Coates, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, English, Graham, Hamrick, Harvey, Hendricks, Holloway, Hubbard, James, Marsh, Malott, Morrison, Orth, Osborn, Porter, Robinson, Simpson, Stewart, Taber and Walpole—27.

So the Senate did not adjourn.

When the Senate proceeded to a twenty-ninth balloting.

Messrs. Ellis and Sleeth acting as tellers.

And upon counting the same, it was found that

Mr. Marsh received	- - - - -	23 votes.
Mr. Stewart received	- - - - -	13 votes.
Scattering	- - - - -	4 votes.
Blank	- - - - -	8 votes.

No Senator having received a majority of all the votes given, and before the Senate proceeded to another balloting,

Mr. Milligan moved to adjourn.

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Coats, Day of St. Joseph, English, Evans, Garver, Graham, Hardin, Henry, Huffstetter, Malott, Martin, McCarty, Millikin, Milligan, Miller, Read, Rousseau, and Sleeth—19.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, James, Morrison, Orth, Osborn, Porter, Randall, Robinson, Simpson, Taber, Walpole and Waters—26.

So the Senate did not adjourn.

Whereupon the Senate proceeded to a thirtieth balloting, and upon counting the same, it appeared that

Mr. Marsh received	- - - - -	23 votes.
Mr. Morrison received	- - - - -	17 votes.
Blank	- - - - -	7 votes.

No Senator having received a majority of all the votes given, and before the Senate proceeded to another balloting,

Mr. Hardin moved that the Senate adjourn.

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Day of St. Joseph, English, Evans, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, Martin, McCarty, Millikin, Milligan, Miller, Morrison, Orth, Randall, Read, Sleeth, and Stewart—24.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduitt, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Porter, Robinson, Simpson, Taber, Walpole, and Waters—23.

So the Senate adjourned.

FRIDAY MORNING, DECEMBER 21, 1848.

The Senate met ;

The Senate refused to have the journal of the preceding day read for information.

By unanimous consent there was a call of the Senate,

And the call having been proceeded with, and all the Senators appearing in their places, except the Senators to whom leave of absence had heretofore been granted,

The further call was suspended by like unanimous consent.

Whereupon,

Mr. Walpole offered the following resolution :

Resolved, That Mr. Millikin be appointed chairman to preside over the Senate, until a President pro tem. of the Senate be elected, who shall put all questions, announce results, and decide points of order subject to appeal, and no legislative act however shall be done or performed by the Senate until such election.

Whereupon,

The Assistant Secretary (in the absence of the principal,) propounded to the Senate the following question :

Will the Senate entertain the resolution proposed by the Senator from Hancock ?

And the ayes and noes being demanded by two Senators by unanimous consent, they were ordered.

Those who voted in the affirmative are,

Messrs. Buckles, Coates, English, Garver, Graham, Hardin, Milligan, Read, Stewart and Walpole—10.

Those who voted in the negative are,

Messrs. Adams, Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Marsh, Malott, Martin, McCarty, Millikin, Miller, Morrison, Orth, Porter, Randall, Robinson, Rousseau, Simpson, Sleeth, Taber and Waters—37.

So the Senate refused to entertain the said resolution.

Whereupon the Senate proceeded to a thirty-first balloting for a President *pro tem*.

Messrs. Randall and Harvey acting as tellers.

Whereupon Mr. Ellis withdrew the name of Mr. Marsh, when,

Mr. Orth proposed the name of Mr. Martin, and,

Upon counting said ballot it was found that

Mr. Read received	-	-	-	-	-	25 votes.
Mr. Martin received	-	-	-	-	-	18 votes.
Blank,	-	-	-	-	-	3 votes.

Mr. Read, the Senator from the county of Carke, having received a majority of all the votes given, was declared by the Assistant Secretary of the Senate (in the absence of the principal,) duly elected President of the Senate *pro tem.*, to serve as such until his successor shall be elected and qualified,

And was conducted to the chair by Messrs. Miller and Walpole.

After which, he returned his thanks for the distinguished honor conferred, when,

Mr. Graham offered the following resolution :

Resolved, That the House of Representative be informed that the Senate has elected James G. Read President of the Senate, *pro tem.*, and are now ready ready to resume legislative business ;

Which resolution was adopted.

PETITIONS PRESENTED.

By Mr. Beard,

The petition of William Twining and others, citizens of Montgomery county, relative to the distribution of the school funds ;

Which was referred to the committee on education.

By Mr. Hamrick,

The petition of John Henderson and others, praying the vacation of a certain street in the town of Putnamville ;

Which,

On motion by Mr. Hamrick,

Was referred to a select committee consisting of Messrs. Hamrick, Beard, and Holloway.

By Mr. Holloway,

A petition for a branch of the State Bank at Muncie, Delaware county ;

Which,

On motion by Mr. Holloway,

Was referred to the committee on the State Bank.

By Mr. Holloway,

A petition for a turnpike from Williamsburg to Economy, in Wayne county ;

Which,

On motion by Mr. Holloway,

Was referred to a select committee consisting of Messrs. Holloway, Milligan, and Hamrick.

By Mr. Orth,

The petition of sundry citizens of the counties of Tippecanoe Jasper, and White, praying for the location of a certain State road therein named ;

Which,

On motion by Mr. Orth,

Was referred to a select committee consisting of, Messrs. Orth, Coates, Henry, and Montgomery.

Also by Mr. Orth,

The remonstrance of sundry citizens of said counties in relation to the same subject ;

Which,

On motion by Mr. Orth,

Was referred to the same select committee.

By Mr. Stewart,

A petition for the relief of Robert B. Duncan ;

Which,

On motion by Mr. Stewart,

Was referred to the committee on claims.

By Mr. Adams,

The petition of John Floyd to change the name of John Floyd Brown, to that of John Floyd ;

Which,

On motion by Mr. Adams,

Was referred to a select committee consisting of, Messrs. Adams, Malott, and Herod.

By Mr. Walpole,

The petition of the commissioners of the county of Hancock, praying the passage of acts for certain purposes therein named ;

Which,

On motion by Mr. Walpole,
Was referred to a select committee consisting of,
Messrs. Walpole, English, and Graham.

Also,
By Mr. Walpole,
The petition of J. Rutherford and others praying for a separate charter for constructing a plank road from Indianapolis east, and disconnected entirely with that which is west of Indianapolis;

Which,

On motion by Mr. Walpole,
Was referred to a select committee consisting of,
Messrs. Walpole, Stewart, and Garver.

The Senate then resumed the consideration of bill of the Senate and pending amendments thereto, entitled,

No. 28. A bill to repeal an act entitled, "an act to amend an act supplemental to an act subjecting real and personal property to execution," approved February 11th, 1843, and to revive the thirteenth article of chapter forty, of the Revised Statutes of 1843.

The question being upon the adoption of the amendment proposed by the committee on the judiciary, as amended; when,

Mr. Hubbard moved to recommit the bill and pending amendments to a select committee, with the following instructions:

Strike out the 4th and 5th sections of the amendment, and insert the following:

SEC. . Whenever the execution defendant by virtue of the acts to which this is an amendment, shall designate property to be levied upon, whether it be real or personal, the same shall be sold for any sum not less than one half of its appraised value: *Provided* that if the defendant when called upon by the proper officer for that purpose, shall fail or neglect to designate what property shall be levied upon, then and in that case the execution plaintiff, his agent, or attorney, may select what part of the defendants property shall be taken in execution, and in all cases except when property is turned out by the execution defendant, the same whether real or personal, or chattles real, shall be sold for any sum not less than two thirds of its appraised value.

When,

On motion,

The bill and pending amendments were laid upon the table.

Mr. Orth from the committee on the Judiciary made the following report:

MR. PRESIDENT:

The committee on the judiciary to which was referred bill of the Senate No. 33, entitled, "a bill to provide for amending the practice in the Supreme Court of this State," have had the same under con-

sideration, and instructed me to report the same to the Senate and recommend its indefinite postponement;

Which report was concurred in, and the bill was indefinitely postponed.

Mr. Henry from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The committee on the judiciary, to whom the petition of John Boker and others, relative to amending the law regulating the granting of injunctions and issuing attachments for contempt, have had the same under consideration and directed me to report the same back to the Senate, and recommend that further legislation on that subject is unnecessary.

Which report was concurred in.

Mr. Robinson from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The judiciary committee, to whom was referred a resolution of the Senate, on the subject of electing county Surveyors by the people, have according to order, had the same under consideration and have directed me to report that they deem legislation on that subject inexpedient, and respectfully ask to be discharged from the further consideration of the same.

Which report was concurred in and the committee discharged.

Mr. Buckles from the committee on the judiciary, made the following report:

MR. PRESIDENT:

The judiciary committee, to whom was referred a resolution instructing them to inquire whether the bondholders of the State, under the funded debt arrangement, have violated the contract between the State themselves, have had the same under consideration and have directed me to report said resolution back and be discharged from the further consideration of the same.

Which,

On motion by Mr. Orth,

Was laid upon the table.

Mr. McCarty from the select committee on the judiciary, made the following report:

MR. PRESIDENT :

I am directed by the judiciary committee, to whom was referred bill, No. 70, of the Senate, declaring the meaning of the 10th section of an act, approved January 13, 1845, to report the same back without amendment, and recommend its passage.

And,

On motion by Mr. Cornett,

The bill was recommitted to the committee on education.

Mr. Robinson from the committee on claims, made the following report :

MR. PRESIDENT :

The committee on claims, to whom was referred bill, No. 117, entitled a bill for the relief of Martin Fitzpatrick, have had that subject under consideration and have directed me to report back said bill to the Senate, without amendment, and when so amended, to recommend its passage.

Amendment referred to in the above report :

Amend by striking out from the enacting clause and inserting the following :

That, Martin Fitzpatrick be, and he is hereby allowed the sum of \$178 48, for work and labor performed by him on the New Albany and Vincennes Turnpike Road. And the Superintendent of said road, is hereby directed to pay over to said Fitzpatrick, said amount out of any moneys now in his hands, of the proceeds of the toll on said road—and if there be no money of the said proceeds now in his hands, he shall pay the same out of the first money proceeds of said tolls that shall hereafter be received by him as such Superintendent.

This act to be in force from and after its passage.

And the question being upon the adoption of the amendment, Mr. Davis moved the following amendment to the amendment :

Add the following section :

Sec. —. Nothing in this act contained shall be so construed as to affect in any way the priority of payment of a note endorsed by Henry Turner, and discounted in the New Albany Branch of the State Bank of Indiana, for the benefit of the New Albany and Vincennes road.

The question being upon the adoption of the amendment to the amendment :

Mr. Ellis moved to recommit said bill and pending amendments to the committee on claims.

Pending which motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President *pro tem.* laid before the Senate a communication from the Governor in reply to a resolution of the Senate, "Requesting a statement of votes given in each county at the last August election in favor of and against free schools," and accompanied by a statement of the same ;

Which was read, and,

On motion by Mr. Graham,

The communication and accompanying statement,

Was laid upon the table.

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment :

No. 23. An act to incorporate the "Trustees of the Greencastle Female Collegiate Seminary ;

Also,

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment :

No. 133. An act in relation to the election of a justice of the peace in Fairfield township, Tippecanoe county ;

Also, that the House have concurred in the engrossed amendment of the Senate to engrossed joint resolution of the House :

No. 96. A joint resolution in relation to the time of payment of the semi-annual interest due the bondholders of this State,

Without amendment.

Also,

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Se-

nate that the Speaker of the House has signed the following enrolled bills of the House:

No. 54. An act to amend an act entitled "An act to incorporate the town of New Castle in the county of Henry." approved February 6, 1839;

No. 85. An act in relation to bridges &c. in Fayette county;

No. 42. An act to authorize the commissioners of Hamilton, Miami, and Tipton counties to borrow money;

Which I am directed to bring to the Senate for the signature of the President thereof.

ORDERS OF THE DAY.

Bills of the House on their third reading.

No. 20. A bill (of the House) for the relief of Isaac Hardy and others;

Which was read a third time and passed.

No. 126. A bill more effectually to prevent the retailing of spirituous liquors in certain counties therein named;

Which was read a third time and passed.

On motion by Mr. Sleeth,

The previous order of business was suspended, and bill

No. 128. A bill to incorporate the Shelbyville and Edinburg Lateral Branch Rail Road Company;

Was taken from the table, and passed.

On motion by Mr. Buckles,

The previous order of business was suspended, and bill

No. 131. A bill to amend the charter of the Indianapolis and Bellefontaine Rail Road Company;

Was taken from the table, and

On motion by Mr. Buckles,

The rules were suspended, the bill considered as engrossed, read third time, and passed.

On motion by Mr. Orth,

The previous order of business was suspended, and bill

No. 49. A bill (of the House) relative to School funds in the county of Clarke;

Was taken from the table, and referred to a select committee, consisting of Messrs. Walpole, English and Hubbard.

On motion by Mr. Randall,

The previous order of business was suspended, and bill

No. 120. A bill to incorporate the Fort Wayne and Bluffton Turnpike Company;

Was taken from the table and passed.

Mr. Davis asked and obtained leave to introduce the following resolution:

Resolved, That a select committee be appointed to ascertain and

report whether the Spring Terms of the Circuit Courts in the second Judicial Circuit can be changed so as to have the first terms of said Court in said Circuit commence on the first Monday in March;

Whereupon the following Senators were appointed said committee: Messrs. Davis, English, Porter, Huffstetter, and Morrison.

The Senate then resumed the consideration of the joint resolution of the House and pending amendments, entitled

No. 18. Joint Resolution on the subject of Slavery;

The question being upon the adoption of the amendment to the amendment,

Whereupon

Mr. Orth called for a division of the question, and

The President stated that the first question will be,

Will the Senate strike out?

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, English, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, and Taber—18.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Millikin, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Simpson, Walpole, and Waters—29.

So the Senate refused to strike out.

The question again recurring upon the adoption of the amendment to the joint resolutions; when

Mr. Stewart offered the following amendment to the amendment:

Strike out all of the first resolution contained in the amendment before and including the word "law," and insert the following:

Be it enacted by the General Assembly of the State of Indiana, That our Senators in Congress be instructed, and our Representatives requested, to use their influence in favor of, and cast their votes for, a law or joint resolution which shall prohibit the existence or establishment of slavery or involuntary servitude in the Territories of California and New Mexico, otherwise than in the punishment of crimes whereof the party shall have been duly convicted.

Resolved further, That the acquisition of Louisiana, Florida, and Texas, where domestic slavery existed, and their incorporation into the family of American States, gave high guarantees of the compromising spirit of the States denominated free, and exhibited to

the world those lofty notions of patriotism, which on all proper occasions has signalized the acquisition of new territory to the American Union.

Resolved further, That this General Assembly, in the spirit of fraternal regard, would invoke for these opinions the consideration of all connected, in any way, with the institution of slavery, under the firm conviction that, as this Territory came to us *free*, it should be permitted to remain so, thereby adding new evidences of patriotic compromise, which, on so many honorable occasions, has distinguished the history of our beloved country.

Resolved further, That the Governor of Indiana be requested to transmit, without delay, a copy of the preamble and resolutions to each of our Senators and Representatives in Congress.

The question being upon the adoption of the amendment to the amendment,

When Mr. Harvey moved to lay the amendment to the amendment upon the table.

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Simpson, and Walpole—25.

Those who voted in the negative are,

Messrs. Adams, Buckles, Day of St. Joseph, English, Evans, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—23.

So the amendment to the amendment was laid upon the table.

The question again recurring upon the adoption of the amendment to the joint resolutions.

When Mr. McCarty offered the following amendment to the amendment,

Add the following :

WHEREAS this Government has recently acquired the territories of New Mexico and California, and the people of said territories have thereby become subject of this Government; And

Whereas, it is due to said people from this government that said people should have the privilege of devising laws for their own welfare, and the largest liberty consistent with the public welfare accorded them; And

Whereas, it is contrary to the spirit of republicanism to impose laws upon a people without consulting the interest and wishes of

those to be subject to them, or without giving them any voice whatever in the creation of laws which may affect their true liberty and property; And

Whereas, in the exclusion of slavery from said territory by the laws of said people, they have given a strong guaranty, that the same will continue to be excluded; Therefore,

Resolved, That our Senators in Congress be instructed, and our Representatives requested to vote against any law for the introduction of slavery into said territory.

The question being upon the adoption of the amendment to the amendment, when

Mr. Dole moved to lay the same upon the table.

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Davis, Day of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Millikin, Montgomery, Orth, Osborn, Porter, Randall, Robinson, Rousseau, Simpson, and Walpole—27.

Those who voted in the negative are,

Messrs. Adams, Buckles, Day of St. Joseph, English, Evans, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Milligan, Miller, Morrison, Read, Sleeth, Stewart, Taber, and Waters—21.

So the amendment was laid on the table.

The question again recurring upon the adoption of the amendment to the joint resolutions, when

Mr. Stewart moved to postpone the further consideration of the bill and pending amendment until Monday next.

The question being upon ordering the bill to be engrossed, and the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Day of St. Joseph, English, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Miller, Morrison, Randall, Read, Stewart, Taber, and Waters—19.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Millikin, Milligan, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Simpson, and Walpole—28.

So the Senate refused to postpone the bill and pending amendments.

The question again recurring upon the adoption of the amendment to the joint resolutions,

When Mr. Buckles moved to reconsider the vote upon striking out the original joint resolutions of the House,

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Day, of St. Joseph, English, Evans, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, Taber, and Waters—23.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Simpson, and Walpole—25.

So the Senate refused to reconsider said vote.

The question again recurring upon the adoption of the amendment to the joint resolutions; when,

Mr. Hardin moved a call of the Senate, and the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Day, of St. Joseph, English, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Stewart, Taber, and Waters—21.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Montgomery, Osborn, Porter, Robinson, Rousseau, Simpson, and Walpole—26.

So the Senate refused to order a call of the Senate.

The question again recurring upon the adoption of the amendment to a joint resolution, and the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Evans, Garver, Graham, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Millikin, Milligan, Montgomery, Orth, Osborn, Porter, Randall, Robinson, Rousseau, Simpson, Taber, Walpole, and Waters—36.

Those who voted in the negative are,

Messrs. Adams, Hardin, Henry, Huffstetter, James, Malott, McCarty, Miller, Morrison, Read, and Sleeth—11.

So the amendment was adopted.

The joint resolutions being still open to amendment,

Mr. Holloway proposed further to amend, by adding the following section:

SEC.—*Be it further Resolved*, That our Senators in Congress be instructed, and our Representatives requested to vote and otherwise use their influence to prevent the admission of any more States into the Union, by the Constitution of which, the institution of domestic slavery is or may be tolerated or permitted in such State or States.

The question being upon the adoption of the above amendment, and the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Evans, Garver, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Simpson, Taber, Walpole, and Waters—30.

Those who voted in the negative are,

Messrs. Adams, Buckles, English, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, and Sleeth—17.

Whereupon, Mr. Harvey called for the previous question, and, The question being,

Will the Senate second the call for the previous question?

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Montgomery, Orth, Osborn, Porter, Robinson, Simpson and Walpole—25.

Those who voted in the negative are,

Messrs. Adams, Buckles, Day of St. Joseph, English, Garver, Graham, Hadin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart, Taber and Waters—22.

So the call for the previous question was seconded.

The question then being,

Shall the main question be now put?

And the ayes and noes were demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day of Kosciusko, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Millikin, Milligan, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Simpson and Walpole—28.

Those who voted in the negative are,

Messrs. Adams, Buckles, Day of St. Joseph, English, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Miller, Morrison, Randall, Read, Sleeth, Stewart, Taber and Waters—20.

So the Senate determined to have the main question then put.

And the Senate to have decided the main question now put,

The President decided the main question to be,

Shall the amendment be engrossed and the joint resolution be read a third time on to-morrow?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Cornett, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Mil-

ligan, Montgomery, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Simpson, Walpole and Waters—30.

Those who voted in the negative are,

Messrs. Adams, English, Garver, Graham, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Miller, Morrison, Read, Sleeth, Stewart and Taber—17.

So the Senate ordered the amendments to be engrossed, and the joint resolutions to a third reading on to-morrow.

Whereupon,

Mr. Robinson moved to suspend the rules and consider the amendments as engrossed, and read the joint resolution a third time now, And before the question was taken,

On motion by Mr. Garver,

The Senate, upon a division, decided to adjourn.

So the Senate adjourned.

SATURDAY MORNING, DEC. 30, 1848.

The Senate met;

The journal of the preceding day was read.

PETITIONS PRESENTED.

By Mr. Conduit,

The petition of Charlotte Slaughter praying for a divorce; which,

On motion by Mr. Conduit,

Was referred to a select committee consisting of, Messrs. Conduit, Harvey, and Coates.

By Mr. Stewart,

The petition of S. Henderson and others, praying leave to continue Illinois street in the town of Indianapolis; which,

On motion by Mr. Stewart,

Was referred to the committee on the town of Indianapolis.

By Mr. Day, of St. Joseph,

The petition of sundry citizens of the county of St. Joseph, praying for the passage of an act for the relief of Robert Kennedy and Adam Hartman; which,

On motion by Mr. Day, of St. Joseph,

Was referred to a select committee consisting of,

Messrs. Day, Evans, and Herod.

The following message was received from his Excellency the Governor, by Andrew J. Carr his private secretary :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate, that he did on the 27th inst., approve and sign the following bill, viz :

No. 1. An act to authorize Robert Rossington to file a bill for a divorce at the January special term, 1849, of the Dearborn Circuit Court.

No. 71. An act authorizing the Governor, Auditor, and Treasurer of State, to borrow a sum of money not exceeding ninety-five thousand dollars, to pay the interest due on the funded debt, on the first day of January, 1849.

No. 80. An act to amend an act to revive an act entitled, "an act to incorporate the city of Logansport," approved 13th Jan., 1845. All of which originated in the Senate.

Dec. 30, 1848.

The following message was received from the House of Representatives, by Mr. Edwards, one of their members :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills and joint-resolutions of the Senate without amendment :

No. 6. An act to exempt the county of Washington from the force and operation of the 61st section of the act entitled, "an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies and for abolishing the board of internal improvements, and the offices of fund commissioner and chief engineer," approved January 28, 1842.

No. 7. An act to transfer certain cases now pending in the Harrison Circuit Court to the Probate Court of said county.

No. 11. An act to authorize the Secretary of State to send additional copies of the laws of the State to the county of Jay.

No. 12. An act to fix the time of holding courts in the first Judicial Circuit and the Probate Court of Tippecanoe county.

No. 21. An act to authorize Patsey C. Parden to sell certain real estate which she inherited from her father.

No. 29. An act to give effect to the last will and testament of Jane Parker.

No. 31. An act to amend an act entitled, "an act regulating the practice of law in the Allen Circuit Court and for other purposes," approved 15th January, 1844.

No. 44. An act incorporating the Dayton and Frankfort Plank Road Company.

No. 51. An act to amend "an act to amend and reduce into one the several acts relating to the corporation of the town of Vevay," approved 20th January, 1846.

No. 58. A joint-resolution relative to the right of way for a rail way in Illinois.

No. 59. A joint-resolution relative to the right of way of the Ohio and Mississippi rail road in Illinois.

Also Mr. Hamrick made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have examined and compared enrolled bills of the Senate No. 23 and 46 with the engrossed, and find them correctly enrolled.

Mr. Hamrick made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the Senate No. 23 and 46.

The following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled bill of the Senate :

No. 46. An act fixing the time of holding courts in Porter and Laporte county ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Randall, from the committee on the judiciary, made the following report :

MR. PRESIDENT :

The committee on the judiciary, to whom was referred bill of the Senate, No. 130, entitled a bill to repeal an act, entitled an act to amend the first article of the 53d chapter of the Revised Laws of 1843, and for other purposes, approved 19th January, 1846, have had the same under consideration, and instructed me to report that it is the opinion of said committee that legislation upon this subject is unnecessary and inexpedient.

The question being upon concurring in the report of the committee, when

On motion,

The bill was recommitted to a select committee, consisting of Messrs. Robinson, Walpole, and Holloway, whereupon,

On motion,

Messrs. Orth, Stewart, Henry, Evans, and Simpson, were also added to said committee.

On motion,

The Senate adjourned.

Two o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 149. An act relative to the Commissioners of the Western Division of the Buffalo and Mississippi Rail Road Company;

In which the concurrence of the Senate is respectfully requested.

And bill in said message mentioned, entitled

No. 149. A bill relative to the Western Division of the Buffalo and Mississippi Rail Road Company,

Was read a first time; and

On motion,

The rules were suspended, and the bill read a second time, and

On motion by Mr. Osborn,

The rules were further suspended, and the bill read a third time and passed.

The following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills and joint resolutions thereof:

No. 3. An act to incorporate the Williamsburgh and Centreville Turnpike Company;

No. 7. An act to amend an act entitled the College Corner and Liberty Turnpike Company, and the Liberty and Abington Turnpike Company;

No. 8. An act to legalize a certain sale made by the Auditor of State;

No. 11. An act to provide for taking the sense of the qualified voters of the State of Indiana, on the calling a Convention to alter, revise or amend the Constitution of the State;

No. 12. An act to amend the act entitled "An act to incorporate the Madison and Brownstown Turnpike Company," which became a law February 11, 1848.

No. 29. An act to extend the duties of County Surveyors;

No. 33. An act defining the duties of Administrators *de bonis non*, in certain cases;

No. 38. An act to vacate a part of a certain road in the county of Dearborn;

No. 44. An act authorizing the Recorders of Franklin and Switzerland counties to make out a general index;

No. 45. An act to amend an act entitled "An act to incorporate the Knightstown and Shelbyville Rail Road Company," approved, January 19, 1846;

No. 47. An act to amend article eleven, chapter thirty, of the Revised Statutes of 1843;

No. 51. An act to authorize a Company to construct the Milton and Aurora Turnpike;

No. 58. A joint resolution recommending a change in the present mode of electing the President and Vice President of the United States;

No. 67. An act for the relief of Aaron Wheeler, of Laporte county;

No. 68. An act authorizing the election of an additional Justice of the Peace in Adams township, in Morgan county;

No. 71. An act to amend an act, entitled "An act abolishing Docket Fees, and dispensing with final records in certain cases," approved, January 28, 1843;

No. 72. An act to incorporate the Madison County Hydraulic and Manufacturing Company;

No. 75. An act to repeal so much of section 54, chapter 12, of the Revised Statutes of 1843, as requires County Treasurers to attend at the places of holding elections in each township, for the purpose of collecting taxes, so far as relates to the counties of Allen, Henry, Jefferson, and White;

No. 77. An act relating to the Baptist Education Society for Indiana;

No. 78. An act regulating the granting of Licenses in the town of Connersville;

No. 79. An act for the relief of certain land owners within the corporate limits of the city of Rising Sun, in Ohio county;

No. 84. An act for the relief of Christian Aigner;

No. 86. An act to locate a State Road from Fairfax, in Monroe county, to Finley's Mills, in Jackson county ;

No. 88. An act to facilitate the discharge of mortgages given to the State of Indiana, for the payment of Bank Stock ;

No. 89. An act to authorize the Governor of the State to sell certain rock belonging to the State of Indiana ;

No. 92. An act to authorize the County Commissioners of LaPorte county to borrow money and for other purposes ;

No. 94. An act to authorize the erection of a new Seminary in Henry county ;

No. 97. An act to amend section 336, Chapter 40, of the Revised Code of 1843 ;

No. 98. An act to authorize Zebina Warriner of Decatur county to file a bill in chancery ;

No. 99. An act to reduce the fees and salaries of the county of Blackford ;

No. 100. An act for the relief of Matthew McPhetridge of the county of Monroe ;

No. 103. An act to amend article 2, of charter 35, of the Revised Statutes of 1843 ;

No. 104. An act amendatory of an act entitled "an act to incorporate the Michigan road company," approved January 13, 1845, and, an act entitled "an act to amend an act entitled 'an act to incorporate the Michigan road company,'" approved January 13, 1845. Approved January 19, 1846 ;

No. 105. An act for the relief of Magdalena Pfatzgraf ;

No. 107. A preamble and joint resolution relative to the reduction of the price of public land in the Great Miami National Reserve ;

No. 108. An act relative to the Board of Commissioners of the county of Boone ;

No. 112. An act to amend an act entitled "an act to regulate the mode of doing township business in the county of Elkhart," approved January 13, 1845 ;

No. 116. An act to change the mode of doing county business in the county of Warrick, from justices of the peace to commissioners ;

No. 118. An act in relation to the duty of Auditor and Agent of State ;

No. 119. An act to legalize the election of a prosecuting attorney in the county of Daviess ;

No. 121. An act to authorize the Probate Court of Bartholomew county to sit two weeks at its February Term ;

No. 122. An act extending the time of working roads and highways in the county of Clay ;

No. 123. An act to change the name of the town of Fleenersburgh in the county of Monroe, to that of Unionville, and for other purposes ;

No. 132. An act regulating the fees of justices of peace, mayors and constables, and for other purposes ;

No. 133. An act to repeal an act entitled "an act to extend the jurisdiction of justices of the peace, in the counties of Lake and Porter," approved February 14, 1848.

No. 138. An act to amend the 69th section of the 7th article, of the 5th chapter, of the Revised Statutes of 1843 ;

No. 142. An act to pay laborers employed on the Northern Division of the Central Canal ;

No. 143. An act to amend "an act for the government of Indiana Hospital for the Insane," approved February 15, 1848.

No. 144. An act to repeal an act therein named so far as the same relates to Owen county ;

No. 148. An act to provide for the election of Petit Jurors in the county of Jackson ;

No. 154. An act changing the mode of assessing State and County Revenue in the counties of Daviess and Martin ;

In which the concurrence of the Senate is respectfully requested.

And bill contained in said message,

No. 3. A bill to incorporate the Williamsburg and Centreville Turnpike Company ;

Which was read a first time ; and,

On motion by Mr. Holloway,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

And Bill contained in said message entitled

No. 7. A bill to amend an act entitled the College Corner and Liberty Turnpike Company, and the Liberty and Abington Turnpike Company,

Was read a first time, and

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

And bill contained in said message entitled

No. 8. A bill to legalize a certain sale made by the Auditor of State,

Which was read a first time ; and,

On motion,

The rules were suspended, and the bill read a second time, and

On motion by Mr. Walpole,

Referred to a select committee consisting of Messrs. Walpole, Stewart and Graham.

And bill contained in said message entitled,

No. 11. A bill to provide for taking the sense of the qualified voters of the State of Indiana on the calling a convention to alter, revise, or amend the constitution of the State,

Was read a first time, and,

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time, and

On motion by Mr. Crth,

Was referred to the same committee to which a similar bill of the Senate had been referred.

And bill contained in said message entitled,

No. 12. A bill to amend the act entitled an act to incorporate the Madison and Brownstown Turnpike Company, which became a law February 11th, 1848,

Was read a first time, and

On motion by Mr. English,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

And bill in said message contained entitled

No. 29. A bill to extend the duties of county surveyors,

Was read a first time, and

On motion by Mr. Osborn,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

And bill in said message contained, entitled,

No. 33. A bill defining the duties of Administrators "de bonis non," in certain cases;

Was read a first time; and,

On motion by Mr. Osborn,

The rules were suspended, the bill read a second time, and referred to the judiciary committee.

And bill in said message contained, entitled,

No. 38. A bill to vacate a part of a certain road in the county of Dearborn;

Was read a first time; and,

On motion by Mr. Millikin,

The rules were suspended and the bill read a second time and referred to a select committee consisting of,

Messrs. Millikin, Henry, and Stewart.

And bill in said message contained, entitled,

No. 44. A bill authorizing the recorder of Franklin and Switzerland counties, to make out a general index;

Was read a first time and passed to a second reading.

And bill in said message contained, entitled,

No. 45. A bill to amend an act entitled an act, to incorporate the Knightstown and Shelbyville Rail Road Company. Approved, January 19, 1846;

Was read a first time; and,

On motion by Mr. Hubbard,

The rules were suspended and the bill read a second time and referred to a select committee, consisting of,

Messrs. Hubbard, Walpole, and Evans.

And bill in said message contained, entitled,

No. 47. A bill to amend article eleven, chapter thirty, of the Revised Statutes of 1843; was read a first time, and,

On motion,

The rules were suspended and the bill read a second time and referred to the committee on the judiciary.

And bill in said message contained, entitled,

No. 51. A bill to authorize a company to construct the Milton and Aurora Turnpike;

Was read a first time; and,

On motion by Mr. Millikin,

The rules were suspended, the bill read a second time and referred to the committee on corporations.

And joint resolution in said message contained, entitled,

No. 58. A joint resolution recommending a change in the present mode of electing the President and Vice President of the United States;

Was read a first time; and,

On motion by Mr. Osborn,

The rules were suspended, the joint resolution read a second time; when,

Mr. Osborn moved to amend by adding the following:

"So that our Senators in Congress shall be elected by the people and not by the Legislature."

When,

On motion by Mr. Walpole,

The joint resolution and pending amendment were referred to the committee on the judiciary.

And bill in said message contained, entitled,

No. 67. A bill for the relief of Aaron Wheeler, of Laporte county;

Was read a first time; and,

On motion by Mr. Osborn,

The rules were suspended, the bill read a second time; and,

On motion by Mr. Osborn,

The rules were further suspended and the bill read a third time, and passed.

And bill in said message contained, entitled,

No. 68. A bill authorizing the election of an additional Justice of the Peace, in Adams township, in Morgan county;

Was read a first time; and,

On motion by Mr. Conduit,

The rules were suspended, the bill read a second time; and,

On motion by Mr. Conduit,

The rules were further suspended and the bill read a third time and passed.

And bill in said message contained, entitled,

No. 71. A bill to amend an act, abolishing Docket fees and dispensing with final records in certain cases. Approved, January, 28, 1843;

Was read a first time; and,

On motion,

The rules were suspended and the bill read a second time ;
when,

Mr. Walpole moved to refer the bill to the committee on the judiciary, with the following instructions :

That said committee be instructed to inquire and report if the fees now allowed clerks, for the probate business are not too high and ought to be reduced.

The question being upon referring with the above instructions ;
when,

Mr. Osborn moved to amend the instructions, by excepting the county of Laporte ;

Which amendment was not adopted.

Mr. Hubbard moved to amend, by excepting the county of Rush ;

Which amendment was not adopted.

Mr. Rousseau moved to amend by excepting the counties of Owen and Green ;

Which amendment was not adopted.

Mr. McCarty moved to amend by excepting the county of Franklin ;

Which amendment was not adopted.

Mr. Randall moved to amend by accepting the counties of Allen, Adams and Wells ;

Which amendment was not adopted.

Whereupon the said bill was referred to the committee on the judiciary with the foregoing instructions :

And bill in said message contained, entitled,

No. 72. A bill to incorporate the Madison County Hydraulic and Manufacturing Company ;

Which was read a first time, and,

On motion by Mr. Buckles,

The rules were suspended, and the bill read a second time, and referred to a select committee consisting of Messrs. Buckles, Walpole and Stewart.

And bill in said message contained, entitled,

No. 75. A bill to repeal so much of section 54, chapter 12, of the Revised Statutes of 1843, as requires the county treasurer to attend at the places of holding the elections in each township, for the purpose of collecting taxes so far as relates to counties of Allen, Henry, Jefferson and White.

Which was read a first time ; and,

On motion,

The rules were suspended, the bill read a second time,

When, Mr. Orth moved to amend the bill by adding the county of Tippecanoe ;

Which was adopted.

Mr. Osborn moved further to amend by adding the counties of Laport and Porter.

Which amendment was adopted.

Mr. Taber moved further to amend by adding the county of Cass ;
Which amendment was adopted.

Mr. Waters moved further to amend by adding the counties of Carroll and Clinton ;

Which amendment was adopted.

Mr. Garver moved to further amend by adding the county of Hamilton ;

Which amendment was adopted.

On motion by Mr. Osborn,

The rules were further suspended, and the bill read a third time and passed.

On motion by Mr. Osborn,

The title of said bill was amended, as follows :

Strike out the words "to the counties of Allen, Henry, Jefferson and White," and insert in lieu thereof the words "several counties therein named."

And bill in said message contained, entitled,

No. 77. All relating to the Baptist Education Society for Indiana ;

Was read a first time ; and,

On motion by Mr. Buckles,

The rules were suspended and the bill read a second time, and, referred to the committee on education.

And bill in said message contained, entitled,

No. 78. A bill regulating the granting of licenses in the town of Connersville ;

Which was read a first time, and,

On motion by Mr. Simpson,

The rules were suspended and the bill read a second time, and

On motion by Mr. Simpson,

The said bill was indefinitely postponed.

And bill in said message contained, entitled,

No. 79. A bill for the relief of certain land owners within the corporate limits of the city of Rising Sun, in Ohio county ;

Which was read a first time, and passed to a second reading.

No. 84. A bill for the relief of Christian Aigner ;

Which was read a first time, and,

On motion by Mr. Hendricks,

The rules were suspended and the bill read a second time, and,

On motion by Mr. Hendricks,

The rules were further suspended, and the bill read a third time, and passed.

And bill in said message contained, entitled,

No. 86. A bill to locate a State road from Fairfax in Monroe county, to Finley's Mills in Jackson county ;

Which was read a first time, and,

On motion by Mr. Adams,

The rules were suspended, and the bill read a second time, and,

On motion by Mr. Adams,

The rules were further suspended, and the bill read a third time, and passed.

And the bill in said message contained, entitled,
No. 88. A Bill to facilitate the discharge of mortgages given to the State of Indiana for the payment of Bank stock;

Which was read a first time, and,

On motion by Mr. Walpole,

The rules were suspended, the bill read a second time, and referred to the committee on the State Bank.

And bill in said message contained, entitled,
No. 89. A Bill to authorize the Governor of the State to sell certain rock, belonging to the State of Indiana;

Which was read a first time, and,

On motion by Mr. Davis,

The rules were suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Davis, Morrison and English.

And bill in said message contained, entitled,
No. 92. A Bill to authorize the county Commissioners of Laporte county to borrow money, and for other purposes;

Which was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Orborn,

The rules were further suspended, and the bill read a third time and passed.

And bill in said message contained, entitled,
No. 94. A Bill to authorize the erection of a new Seminary in Henry county;

Was read a first time, and passed to a second reading.

And bill in said message contained, entitled,
No. 97. A Bill to amend Sec. 336, Chapter 40 of the Revised Code of 1843;

Was read a first time, and,

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time and referred to the judiciary committee.

And the bill in said message contained, entitled,
No. 98. A Bill to authorize Zebina Warriner of Decatur county to file a bill in chancery;

Was read a first time, and,

On motion by Mr. Robinson,

The rules were suspended and the bill read a second time, and,

On motion by Mr. Robinson,

The rules were further suspended, the bill read a third time and passed.

And the bill in said message contained, entitled,

No. 99. A bill to reduce the fees and salaries of county officers in the county of Blackford;

Was read a first time, and,

On motion by Mr. Milligan,

The rules were suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Milligan, Buckels and Garver.

And bill in said message contained, entitled,

No. 100. A bill for the relief of Mathew McPhetridge of the county of Monroe;

Was read a first time, and,

On motion by Mr. Adams,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Adams,

The rules were further suspended, and the bill read a third time and passed.

And bill in said message contained, entitled,

No. 103. A Bill to amend Article 2, of Chapter 35 of the Revised Statutes of 1843;

Was read a first time, and,

On motion by Mr. Harvey,

The rules were suspended, the bill read a second time, and referred to the judiciary committee.

And bill in said message contained, entitled,

No. 104. A Bill amendatory of an act entitled, "an act to incorporate the Michigan Road Company, approved January 13th, 1845," and an act entitled "an act to amend an act entitled an act to incorporate the Michigan Road Company, approved January 19th, 1846;

Was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Osborn, Taber and Waters.

And bill in said message contained, entitled,

No. 105. A Bill for the relief of Magdalena Pfalzgraf;

Was read a first time, and passed to a second reading.

And joint resolution in said message contained, entitled,

No. 107. A Preamble and Joint Resolution relative to the reduction of the price of public land in the Great Miami National Reserve;

Was read a first time, and,

On motion by Mr. Cassatt,

The rules were suspended,

And the joint resolution read a second time, and referred to a select committee, consisting of Messrs. Cassatt, Osborn, Taber, and Garver.

And bill in said message contained, entitled,

No. 108. A bill relative to the Board of Commissioners of the county of Boone;

Was read a first time, and,

On motion by Mr. Garver,
The rules were suspended, the bill read a second time, and,

On motion by Mr. Garver,
The rules were further suspended, and the bill read a third time,
and passed.

And bill in said message contained, entitled,
No. 112. A bill to amend an act, entitled, "An act to regulate
the mode of doing township business in the county of Elkhart,"
approved January 13, 1845 ;

Was read a first time, and,
On motion by Mr. Day of St. Joseph,
The rules were suspended, the bill read a second time, and refer-
red to a select committee, consisting of Messrs. Martin, Day of St.
Joseph, and Osborn.

And bill in said message contained, entitled,
No. 116. A bill to change the mode of doing business in the
county of Warrick from justices of the peace to commissioners ;

Was read a first time, and,
On motion by Mr. Graham,
The rules were suspended, the bill read a second time, and,
On motion by Mr. Graham,
The rules were further suspended, the bill read a third time, and
passed.

And bill in said message contained, entitled,
No. 118. A bill in relation to the duties of Auditor and Agent
of State ;

Was read a first time, and,
On motion,
The rules were suspended, and the bill read a second time, and
ordered to a third reading.

And bill in said message contained, entitled,
No. 119. A bill to legalize the election of a prosecuting attorney
in the county of Daviess ;

Was read a first time, and passed to a second reading.
And bill in said message contained, entitled,
No. 121. A bill to authorize the probate court of Bartholomew
county to sit two weeks at its February term ;

Was read a first time, and,
On motion by Mr. Herod,
The rules were suspended, the bill read a second time, and,
On motion by Mr. Herod,
The rules were further suspended, and the bill read a third time,
and passed.

And bill in said message contained, entitled,
No. 122. A bill extending the time of working roads and high-
ways in the county of Clay ;

Was read a first time, and,
On motion by Mr. Henry,
The rules were suspended, the bill read a second time, and,

On motion by Mr. Henry,
The rules were further suspended, and the bill read a third time,
and passed.

And bill in said message contained, entitled,
No. 123. A bill to change the name of the town of Fleenersburg,
in the county of Monroe, to that of Unionville, and for other pur-
poses ;

Was read a first time, and,
On motion by Mr. Adams,
The rules were suspended, the bill read a second time, and,
On motion by Mr. Adams,
The rules were further suspended, and the bill read a third time,
and passed.

And bill in said message contained, entitled,
No. 132. A bill regulating the fees of justices of the peace,
mayors, and constables, and for other purposes ;

Was read a first time, and,
On motion,
The rules were suspended, the bill read a second time, and re-
ferred to the committee on the judiciary.

And bill in said message contained, entitled,
No. 133. A bill to repeal an act, entitled "An act to extend the
jurisdiction of justices of the peace in the counties of Lake and
Porter," approved February 14, 1848 ;

Was read a first time, and passed to a second reading.
And bill in said message contained, entitled,
No. 138. A bill to amend the 69th section of the 7th article of
the 5th chapter of the Revised Statutes of 1843 ;

Was read a first time, and passed to a second reading.
And bill contained in said message, entitled,
No. 142. A bill to pay the laborers employed on the northern
division of the Central Canal ;

Was read a first time, and,
On motion by Mr. Stewart,
The rules were suspended, and the bill read a second time, and
referred to the committee on canals and internal improvements.

And bill in said message contained, entitled,
No. 143. A bill to amend "An act for the government of the
Indiana Hospital for the Insane," approved February 15th, 1848 ;

Was read a first time, and,
On motion by Mr. Orth,
The rules were suspended, the bill read a second time and
referred to the committee on the Benevolent Institutions of the
State.

And bill in said message contained, entitled,
No. 144. A bill to repeal "An act therein named," so far as the
same relates to Owen county ;

Was read a first time, and,
On motion by Mr. Rousseau,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Rousseau,

The rules were further suspended, and the bill read a third time and passed.

And bill in said message contained, entitled

No. 148. A bill to provide for the selection of Petit Jurors in the county of Jackson;

Was read a first time, and,

On motion by Mr. English,

The rules were suspended, the bill read a second time, and,

On motion by Mr. English,

The rules were further suspended, and the bill read a third time and passed.

And bill in said message contained, entitled

No. 154. A bill changing the mode of Assessing State and County Revenue in the counties of Daviess and Martin;

Was read a first time, and,

On motion by Mr. Hubbard,

The rules were suspended, the bill read a second time, and referred to the committee on finance.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bill thereof:

No. 128. An act creating the Marion Court of Common Pleas; In which the concurrence of the Senate is respectfully requested.

And bill in said message contained, entitled

No. 128. A bill creating the Marion Court of Common Pleas;

Was read a first time, and,

On motion by Mr. Stewart,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate that the House has passed the following engrossed bills of the Senate, with sundry amendments:

No. 10. An act to incorporate the Columbus, Nashville, and Bloomington Rail Road Company;

No. 34. An act to locate a State Road in the counties of Decatur, Jennings, and Bartholomew;

No. 42. An act defining the duties of County Treasurers in the several counties therein named;

In which amendments the concurrence of the Senate is respectfully requested.

And,

On motion by Mr. Herod,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 10. An act to incorporate the Columbus, Nashville, and Bloomington Rail Road Company;

And also,

On motion by Mr. Herod,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 34. An act to locate a State Road in the counties of Decatur, Jennings and Bartholomew;

And,

On motion by Mr. Walpole,

The Senate concurred in the first and third engrossed amendments of the House to the engrossed bill of the Senate, entitled,

No. 42. An act defining the duties of County Treasurers in the several counties therein named;

And the Senate refused to concur in the second engrossed amendment to said bill.

On motion by Mr. Herod,

Leave of absence was granted to Mr. Martin.

On motion by Mr. Morrison,

The previous order of business was suspended and leave granted him to offer the following resolution for adoption:

Resolved, That the Agent of the Northern Division of the Central Canal, be requested to inform the Senate, on the following particulars:

The amount of water leased on the Northern Division of the Central Canal, to whom leased, the amount of water furnished to each lessee, the amount stipulated to be paid by each lessee, and the amount actually paid by each lessee; the time the same was paid, whether any of the lessees have the use of the water in preference to others on the same level, the amount of money expended each year on said canal for repairs, and the amount due to each laborer for work performed on said canal;

Which resolution was adopted.

The following message was received from His Excellency, the Governor, by A. J. Carr, his Secretary:

MR. PRESIDENT:

I am directed by the Governor, to inform the Senate, that he did

this day approve and sign the following bill and joint resolution, viz.:

No. 133. An act in relation to the election of a Justice of the Peace, in Fairfield township, in Tippecanoe county.

No. 58. A joint resolution relative to the right of way for a Railway in Illinois.

No. 59. A joint resolution relative to the right of way of the Ohio and Mississippi Rail Road, in the State of Illinois.

No. 6. An act to exempt the county of Washington, from the force and operation of the 61st section of the act entitled an act, to provide for the continuance of the construction of all or any part of the public works of this State, by private companies and for abolishing the board of internal improvements and the offices of Fund Commissioner and Chief Engineer, approved, Jan. 28, 1842.

All of which originated in the Senate.

Mr. Hamrick made the following report, from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have, this day, presented to the Governor, for his approval and signature, joint resolutions of the Senate, No. 58 and 59, and engrossed bills of the Senate, Nos. 6 and 133.

On motion by Mr. Harvey,

The previous order of business was suspended and leave granted to make the following reports :

By Mr. Harvey, from the committee on unfinished business, the following report :

MR. PRESIDENT :

The committee on unfinished business, who were instructed by a resolution of the Senate, to obtain from the librarian, a bill providing for a revision of the Road Laws of this State, which passed the House at the last session, and was not acted on by the Senate, for want of time, have obtained said bill from the librarian, and instructed me to report the same to the Senate, herewith :

No. 138. A bill to revise and consolidate the several acts of the General Assembly, in relation to laying out, opening, repairing, changing, and vacating public highways and the erection and repair of bridges, and to amend the same.

Was read a first time ; and,

On motion by Mr. Harvey,

The rules were suspended and the bill read a second time and referred to the committee on roads.

By Mr. Orth,

The following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill of the Senate No. 60, "A bill to provide for taking the sense of the qualified voters of this State on the calling of a convention to alter, revise, and amend the constitution of this State," have had the same under consideration and a majority of the committee have instructed me to report the same to the Senate with the following amendments, upon the adoption of which they recommend its passage :

Strike out section three and insert the following :

Section 3. The inspectors of elections at the several places of voting, shall propose to each voter presenting a ballot the question, "Are you in favor of a convention to amend the constitution?" and those who are in favor of such convention, shall answer in the affirmative ; and those who are against such convention, shall answer in the negative ; which answers shall be duly recorded by the clerks of such election.

Amend section five (5) as follows :

After the word convention in line five add the following, "And also all the votes that were given at such election."

The committee would further report in accordance with the instructions of the Senate, they have endeavored to ascertain the probable expense of such convention, but having no data upon which to predicate any calculation as to said expense, such as the number of members of the proposed convention, the amount of their per diem allowance, the probable length of their session, and various contingent expenses, they cannot comply with the request of the Senate, and therefore ask to be discharged from the further consideration of the subject ;

Which amendments were adopted, and the report concurred in, When Mr. Osborn offered the following amendment to the bill :

Amend the 3d section by adding the following thereto :

And the clerk of the board doing county business shall furnish a poll book with the proper columns for that purpose :

Which was adopted,

And the bill ordered to be engrossed for a third reading.

By Mr. English,

The following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred the petition of John Moon and other citizens of Scott county, praying the passage of an act therein named, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage :

And bill,
No. 139. A bill for the relief of William C. A. Bain ;

Was read a first time, and,
On motion by Mr. English,
The rules were suspended, and the bill read a second time, and,
On motion by Mr. English,
The rules were further suspended, and the bill read a third time,
and passed.

By Mr. Miller,
The following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations to whom was referred bill of the Senate (No. 123,) to incorporate the Indiana Fire and Marine Insurance Company, have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

The bill still being open to amendment,
Mr. Stewart offered the following amendment :

Amend the 10th section by adding the following after word "year:"

And published in some newspaper of general circulation, published at the city of Indianapolis, "If said company fail to forward and file in the Secretary of State's office the statement aforesaid at the time required, shall forfeit and pay to the State of Indiana, the sum of one thousand dollars, to be recovered in any court having jurisdiction, by action of debt, in the name of said State, which action, the Secretary of State is hereby required to institute and prosecute ;

Which was adopted,
And the bill ordered to be engrossed for a third reading.

By Mr. Osborn,
The following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill of the House No. 62, entitled "an act to amend an act entitled 'an act to incorporate the Kosciusko, Elkhart, and Miami Rail Road company,'" have considered the same, and have directed me to report it back to the Senate without amendment and recommend its passage.

And
On motion by Mr. Osborn,

The rules were suspended, and the bill read a third time, and passed.

By Mr. Herod,

The following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill No. 118, (of the Senate,) for the benefit of the Ohio and Indianapolis Rail Road company, and changing the name and style of said company, have had the same under consideration, and directed me to report the same back to the Senate without amendment, and recommend its passage ;

Which report was concurred in and the bill ordered to be engrossed for a third reading.

By Mr. Hubbard,

The following from the committee on claims :

MR. PRESIDENT :

The committee on claims to whom was referred the petition of James Vawter, asking damages for injuries sustained in consequence of a slide or slides in the embankment of the Madison and Indianapolis Rail Road, has had the same under consideration, and directed me to report the following bill and recommend its passage.

And bill

No. 140. A bill for the relief of James Vawter ;

Which was read a first time and passed to a second reading.

Mr. Hamrick made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills of the Senate No. 7, 6, and 133, also joint resolutions No. 58 and 5, with the engrossed bills and resolutions of the Senate and find them correctly enrolled.

The following message was received from the House of Representatives by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled joint-resolution and bill of the Senate :

No. 59. A joint-resolution relative to the right of way of the Ohio and Mississippi Rail Road in the State of Illinois.

No. 23. An act to incorporate the trustees of the Greencastle Female Collegiate Seminary.

Which I am directed to bring to the Senate for the signature of the President thereof.

Also the following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled joint-resolution of the Senate :

No. 58. A joint resolution relative to the right of way for a Rail Road in Illinois.

Which I am directed to bring to the Senate for the signature of the President thereof.

Also the following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the Senate :

No. 7. An act to transfer certain cases now pending in the Harrison Circuit Court, to the Probate Court of said county of Harrison.

Which I am directed to bring to the Senate for the signature of the President thereof.

Also the following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate :

No. 133. An act in relation to an election of a Justice of the Peace in Fairfield township, in Tippecanoe county.

No. 6. An act to exempt the county of Washington from the force and operation of the 61st section of the act entitled, "an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvements, and the offices of fund commissioner and chief engineer," approved January 28, 1842.

Which I am directed to bring to the Senate for the signature of the President thereof.

The following message was received from his Excellency the Governor, by Mr. Carr his private secretary :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate, that he did on this day approve and sign the following bills, viz :

No. 23. An act to incorporate the trustees of the Greencastle Female Collegiate Seminary.

No. 46. An act fixing the time of holding the courts in Porter and Laporte counties.

Both of which originated in the Senate.

Mr. Miller asked and obtained leave to present,

The petition of sundry citizens of Gibson county, praying the passage of act changing the name of certain towns therein named ; which,

On motion by Mr. Miller,

Was referred to a select committee consisting of,

Messrs. Miller, James, and Graham.

Mr. Garver asked and obtained leave to offer for adoption the following resolution :

Resolved, That when the Senate adjourns, it will adjourn to meet on Tuesday the 2d day of January, 1849.

The question being upon the adoption of the resolution, and the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Davis, Dole, Ellis, English, Garver, Holloway, Miller, Montgomery, Randall, Rousseau, and Walpole—11.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Coates, Conduit, Cornett, Day of Kosciusko, Day of St. Joseph, Evans, Hamrick, Harvey, Hendricks, Henry, Herod, Houghton, Hubbard, Huffstetter, James, Marsh, Malott, Millikin, Milligan, Morrison, Orth, Porter, Read, Robinson, Simpson, Stewart Taber, and Waters—33.

So the resolution was not adopted.

On motion by Mr. Cassatt,

The previous order of business was suspended, and leave granted to introduce the following bills:

By Mr. Cassatt,

No. 141. A Bill explanatory of sections thirteen, eighteen, and twenty-two of the Revised Statutes of 1843 ;

Which was read a first time, and,

On motion by Mr. Cassatt,

The rules were suspended, and the bill read a second time, and referred to the committee on roads.

By Mr. Orth,

No. 142. A Bill amendatory of an act, entitled "an act incorporating the Lafayette and Danville Rail Road Company;

Which was read a first time, and,

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

By Mr. McCarty,

No. 143. A Bill to incorporate the Laurel and Blooming Grove Turnpike Company;

Which was read a first time, and

On motion by Mr. McCarty,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

On motion by Mr. Robinson,

The previous order of business was suspended, and the consideration of Senate bill

No. 17. A Bill for the relief of Martin Fitzpatrick;

Was resumed;

The question being upon re-committing the bill and pending amendments to the committee on claims;

Whereupon,

Mr. Houghton called for the previous question, and,

The question being,

"Will the Senate second the call for the previous question?"

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Coates, Conduit, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Holloway, Houghton, Huffstetter, Marsh, Malott, Milligan, Osborn, Porter, Read and Simpson—19.

Those who voted in the negative are,

Messrs. Adams, Buckles, Day, of St. Joseph, English, Evans, Garver, Graham, Hendricks, Henry, Herod, Millikin, Miller, Montgomery, Morrison, Orth, Randall, Robinson, Rousseau, Stewart, Walpole and Waters—21.

So the Senate refused to second the call for the previous question.

The question again recurring upon re-committing the bill and pending amendments to the committee on claims; when

Mr. Walpole moved to lay the amendment proposed by Mr. Davis to the amendment, upon the table.

Whereupon,

Mr. Davis moved to amend the motion by Mr. Walpole,

So as to include the bill and the amendment proposed by the committee.

When Mr. Stewart called for a division of the question;

And the President *Pro Tem.* having decided the question susceptible of division, stated that the first question will be,

Upon laying the amendment proposed by Mr. Davis to the amendment, upon the table.

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Coates, Conduit, Day of Kosciusko, Day of St. Joseph, English, Evans, Graham, Garver, Hendricks, Henry, Herod, Houghton, Marsh, Millikin, Milligan, Miller, Randall, Read, Robinson, Rousseau, Stewart, Walpole and Waters—26.

Those who voted in the negative are,

Messrs. Davis, Ellis, Hamrick, Harvey, Holloway, Huffstetter, Malott, Montgomery, Orth, Osborn, Porter, Simpson and Taber—13.

So the amendment to the amendment, was laid upon the table.

The question then being, upon laying the amendment proposed by the committee upon the table,

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Conduit, Davis, Day, of Kosciusko, Ellis, Harvey, Herod, Holloway, Houghton, Huffstetter, Morrison, Orth, Osborn, and Porter—14.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Day, of St. Joseph, English, Evans, Garver, Graham, Hamrick, Hendricks, Henry, Marsh, Malott, Millikin, Milligan, Miller, Montgomery, Randall, Read, Robinson, Rousseau, Simpson, Stewart, Taber, Walpole, and Waters—26.

So the Senate refused to lay the amendment proposed by the committee, upon the table.

The question again recurring upon the adoption of the amendment proposed by the committee,

And it was adopted,

And the bill ordered to be engrossed for a third reading.

On motion.

The Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, JANUARY 1, 1849.

The Senate met, pursuant to adjournment.

The journal of Saturday was read.

PETITIONS PRESENTED.

By Mr. Evans,

The petition of sundry citizens of the county of Henry, praying the passage of an act to regulate the fees and emoluments of the officers of the county of Henry ;

Which,

On motion by Mr. Evans,

Was referred to the committee on the judiciary.

By Mr. Ellis, the petition of William Burch and others, in relation to a levee below Vincennes, on the Wabash ;

Which,

On motion by Mr. Ellis,

Was referred to a select committee consisting of, Messrs. Ellis, Miller, and James.

By Mr. Holloway,

The petition of the Mayor and Common Council of the city of Richmond, asking an amendment of the city charter ;

Which,

On motion by Mr. Holloway,

Was referred to a select committee consisting of, Messrs. Holloway, Milligan, and Evans.

By Mr. Osborn,

The petition of one hundred and fifty citizens of Lake county, on the subject of canal lands, and asking the Legislature to pass a law requiring the Trustees of the Wabash and Erie Canal to accept the re-appraisement of lands ;

Which,

On motion by Mr. Osborn,

Was referred to the committee on canals and internal improvements.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate without amendment :

No. 40. An act to incorporate the Dayton and Frankfort Plank Road company.

No. 45. An act authorizing David Moss to sell certain stone in in Hamilton county.

No. 53. An act to incorporate the Fair Play Engine and Hose company of the city of Madison.

No. 56. An act to change the name of Emeline Grubb.

No. 57. An act to legalize the sale of certain school sections therein named.

No. 65. An act to incorporate the Brookville and Fairfield Turnpike company.

No. 72. An act to amend an act entitled "an act to incorporate the Crawfordsville and Wabash Railroad company," approved 19th January, 1846.

No. 75. An act to incorporate the General Association of Baptists in Indiana.

No. 78. An act for the relief of William Armstrong.

No. 85. An act for the relief of Lavina Whisler.

REPORTS FROM STANDING COMMITTEES.

By Mr. Hendricks, from the committee on roads,

MR. PRESIDENT :

The committee on roads to whom was referred the petition of citizens of Jefferson county, praying for a state road from and to points therein named, report the following bill in pursuance of the prayer of petitioners :

No. 144. A bill to locate a State Road in Jefferson and Ripley counties.

Was read a first time, and passed to a second reading.

By Mr. Walpole, from the committee on canals and internal improvements :

MR. PRESIDENT :

The committee to whom was referred bill of the Senate entitled, a bill No. 94 to amend an act entitled "an act to incorporate the White Water Canal Company," approved 20th January, 1842, and

for other purposes, have had the same under consideration, and recommend the Senate to strike out all the original bill from its enacting clause, and insert the accompanying amendment, and when so amended submit the same for the further consideration of the Senate:

Amendments referred to in the above Report:

An act to compel the White Water Valley Canal Company to comply with the terms and stipulations of her charter:

WHEREAS, by an act of the General Assembly of this State, approved January 20th, 1842, entitled "An act to incorporate the White Water Valley Canal Company," it was and is in effect provided and agreed between the State of Indiana and said Company, that the latter should keep the entire line of said Canal in repair, and furnish to the lessees of the State on said Canal the water power which the State had previously leased for the propelling of machinery: And whereas, that portion of said Canal which lies between the feeder dam at Harrison and the terminus of the Canal at Lawrenceburgh, has continually, from the 1st day of January, 1847, to the present time, been suffered and permitted by said Company to remain in a ruinous and worthless condition, during all of which period the lessees of said State at Lawrenceburgh, who have erected machinery there at great expense on the faith of their leases, executed by the State, and the covenants and agreements therein contained, have been wholly deprived of water power to propel their said machinery: For remedy whereof,

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That it shall be the duty of said Company, on or before the first day of May, 1849, to commence putting that portion of said Canal which lies between the terminus at Lawrenceburgh and the feeder dam at Harrison, including the dam, in a good state of repair, and that she shall cause and procure the necessary repairs, to put said Canal in a good navigable condition, to be done and completed on or before the fifteenth (15th) day of September, 1849. *Provided nevertheless,* should there in the mean time be a freshet that would destroy or seriously injure said Canal, then and in such event said Canal Company shall have until the 15th day of September, in the year 1850, to repair and fully complete said Canal to Lawrenceburgh, and in such event no scire facias as herein provided for, shall issue until the said 15th day of September, in the year last aforesaid.

SEC. 2. Should said Company fail or refuse to commence making the repairs contemplated by this act, by the time above specified, or to complete the same by the 15th day of September, 1849, it shall be the duty of the Agent of State, hereinafter named, to seize and take possession of the entire canal from Cambridge City to Lawrenceburgh, together with the tolls and water rents thereof, which he shall faithfully and economically apply and appropriate to the making of the repairs contemplated by this act, and to the keeping of the other portion of said Canal in repair.

SEC. 3. It shall be the duty of said Company, its officers and agents to surrender to said Agent of the State, the entire control of said Canal, its tolls, water rents, and revenues on the demand of such State's Agent, which demand shall not be made by such agent until said company shall have failed to comply with the provisions of the first section of this act.

SEC. 4. Should said company fail or refuse to surrender to said agent said Canal, its tolls, water rents and revenues on such demand, it shall be the duty of said agent to cause and procure a writ of scire facias to issue against said company out of the Franklin Circuit Court requiring her to appear and show cause if any she can why all her rights and franchises under and by virtue of said act of incorporation shall not be adjudged and declared forfeited to the State of Indiana for failing to keep said Canal in repair and furnish the lessees of the State with water power agreeably to provisions of her said charter.

SEC. 5. Such scire facias may be served on the President of said company, or the Secretary thereof, wheresoever they may be found in this State, and if served ten days before the first day of the term to which it is returnable, the service shall be deemed sufficient and the cause shall be proceeded in at such term.

SEC. 6. That for the purpose of prosecuting such suit, said agent is hereby authorized to employ counsel for and on behalf of the State, should he deem it expedient so to do.

SEC. 7. Said agent shall keep a faithful and correct account of all monies by him received or disbursed under this act, and on the completion of the repairs contemplated by the same, surrender to said company said Canal, its tolls, water rents and revenues, and render unto said company a full and accurate account of the monies by him received and disbursed during his continuance in office, and pass over to her Treasurer all the monies and property in his hands unexpended, which he shall have received as such agent from said Canal, together with his vouchers for such disbursements, on the company receipting to him for the same.

SEC. 8. Should it become necessary for said agent to take possession of said Canal, agreeably to the provisions of this act, or to institute suit against the company as herein contemplated, he shall annually, during the first week of each session of the Legislature, make a full report to the Legislature, of his proceedings in the premises, during his continuance in office.

SEC. 9. Before entering upon the duties of his said office, said agent shall make oath before some person competent to administer an oath, faithfully and diligently to discharge the duties of his office agreeably to law, which shall be reduced to writing and filed in the office of the Secretary of State.

SEC. 10. He shall also give bond to the State in the penal sum of \$50,000, conditioned for the faithful discharge of his duties as such agent, agreeably to the provisions of this act, which shall be approved by the Governor and filed with the Secretary of State.

SEC. 11. Immediately on taking possession of said Canal it shall be the duty of said agent to proceed to put that portion of the Canal between the junction of the Cincinnati Branch and that which leads to Lawrenceburgh, in a good navigable condition, and proceed therewith as rapidly as the revenues of the Canal, after keeping the other portion thereof in repair, will justify.

SEC. 12. During the time said Canal shall remain in his hands he shall not change the rate of tolls or water rents, but the same shall remain as established by the company.

SEC. 13. He shall have power to rent water power on the same terms and conditions, and on them only, prescribed in the leases executed by the company, wheresoever the same can be shared without detriment or injury to navigation.

SEC. 14. The Engineer in charge of said Canal under said company, and the Collectors of tolls at the different stations on the Canal shall be permitted to continue in office during the time said Canal shall remain in the possession of said agent, should they continue to discharge their duty faithfully, otherwise he may remove them and appoint others in their stead.

SEC. 15. Said agent shall see that all leases made by the State and by the company, of water power, be faithfully complied with, as far as practicable, and shall at the request of a majority of the directors, proceed with the erection of the aqueduct at Laurel, and progress therewith at the same time that the repairs between Harrison and Lawrenceburgh are being made.

SEC. 16. That of the county of and State of Indiana, is hereby constituted and appointed the agent of the State to carry into effect the objects contemplated by this act.

SEC. 17. Said agent shall receive a salary of for his services, to be by him retained out of the revenues to be derived from said Canal.

And the amendment was adopted, and the report concurred in, When,

On motion by Mr. Millikin,

The blanks in the sixteenth section were filled with the names of "Orween Toucy" and "Dearborn," respectively; and,

On further motion, by Mr. Millikin,

The blank in the seventeenth section was filled with the words "sixty dollars per month."

The question then being on ordering the bill to be engrossed for a third reading,

Mr. Holloway moved to recommit the bill to the committee on the judiciary;

And pending the motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate:

No. 22. An act to incorporate a Company to construct a Railroad from Evansville, on the Ohio river, to connect with the Ohio and Mississippi Railroad at or near Olney, in the State of Illinois via Princeton, Gibson county, Indiana, and Mount Carmel, Illinois.

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Hamrick, from the committee on enrolled bills, made the following report:

MR. PRESIDENT:

The committee on enrolled bills have examined and compared enrolled bill of the Senate, No. 22, and have corrected the same to correspond with the engrossed bill thereof.

Mr. Hamrick, from the committee on enrolled bills, made the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor for his approval and signature bills of the Senate, Nos. 7 and 22.

Mr. Hamrick, from the committee on enrolled bills, made the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the House, Nos. 17, 28, 35, 42, 54, 63, 85.

On motion by Mr. Martin,

The previous order of business was suspended, and on leave being granted, introduced the following bill:

No. 145. A bill to legalize the acts of the assessors, auditors and treasurers of Lagrange county:

Was read a first time, and,

On motion by Mr. Martin,

The rules were suspended, the bill read a second time, and

On motion by Mr. Martin,

The rules were further suspended, and the bill read a third time, and passed.

On motion by Mr. Conduit,

The previous order of business was suspended, and on leave being granted, introduced the following bill:

No. 146. A bill to amend an act incorporating the town of Mooresville;

Was read a first time, and,

On motion by Mr. Conduit,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Conduit,

The rules were further suspended, and the bill read a third time, and passed.

Mr. Hubbard asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred bill of the House. No. 45, entitled "A bill to amend an act, entitled, an act to incorporate the Knightstown and Shelbyville Railroad Company," approved January 19, 1846, have had the same under consideration, and directed me to report it back without amendment, and recommend its passage.

And the bill read a third time and passed.

Mr. Miller asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of Samuel Hall and other citizens of Gibson county, praying the change of the names of the towns of Columbia and Smithland to that of Patoka, have had the same under consideration and directed me to report the following bill and recommend its passage.

No. 147. A bill to change the names of the towns of Columbia and Smithland, and for other purposes,

Was read a first time, and,

On motion by Mr. Miller,

The rules were suspended and the bill read a second time, and

On motion by Mr. Miller,

The rules were further suspended, and the bill read a third time, and passed.

Mr. Osborn asked and obtained leave to introduce the following bill,

No. 148. A bill authorizing the auditor of Laporte and St. Joseph counties to make deeds in certain cases;

Which was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended, and the bill read a second time; and,

On motion by Mr. Osborn,

The rules were further suspended, and the bill read a third time, and passed.

Mr. Taber asked and obtained leave to introduce the following bill,

No. 149. A bill to authorize the erection of dams, in the Wabash River, and its tributaries, above the Delphi dam;

Which was read a first time, and

On motion by Mr. Taber,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

Mr. Day of St. Joseph asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of George W. Mathews and others, citizens of St. Joseph county, have directed me to report the following bill and recommend its passage:

No. 150. A bill for the relief of Robert Kennedy and Adam Hartman;

Was read a first time, and,

On motion by Mr. Day, of St. Joseph,

The rules were suspended, and the bill read a second time, and

On further motion by Mr. Day of St. Joseph,

The rules were further suspended, and the bill read a third time, and passed.

And leave granted Mr. Day of St. Joseph to withdraw the petition from the files of the Senate.

Mr. Milligan asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred House bill No. 99, have had the same under consideration and directed me to report

the same back to the Senate, and respectfully recommend its passage;

No. 99. A bill to reduce the fees and salaries of county officers in the county of Blackford,

Was read a third time and passed.

Mr. Martin asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the House No. 112, entitled "an act to amend an act entitled an act to regulate the mode of doing township business in the county of Elkhart, approved Jan. 13th, 1845," have had the same under consideration, and have directed me to report the same back to the Senate and recommend its passage;

The bill was read a third time and passed.

Mr. Simpson asked and obtained leave to introduce the following bill :

No. 151. A bill amendatory of the act incorporating the Junction Rail Road Company;

Which was read a first time; and,

On motion by Mr. Simpson,

The rules were suspended and the bill read a second time; and,

On further motion by Mr. Simpson,

The rules were further suspended and the bill read a third time and passed.

Mr. Sleeth asked and obtained leave to make the following report, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 127, entitled "an act to incorporate the Great Western Insurance Company, in the county of Marion, State of Indiana," have had that matter under consideration and directed me to report it back to the Senate, and recommend its passage.

The bill being open to amendment,

Mr. Stewart proposed the following amendments to the bill :

Amend the proviso to the second section, by striking out the word "one," and inserting the word "two;" strike out the words "fifty thousand" and insert in lieu thereof, the words "one hundred thousand."

Add the following to the end of the 13th section :

"And published in some newspaper of general circulation, published at the City of Indianapolis.

"If said company fail to forward and file in the Secretary of State's office, the statement aforesaid at the time required and publish the same as aforesaid, said company shall forfeit and pay to the State of Indiana, the sum of one thousand dollars, to be recovered in any court having jurisdiction by action of debt, in the name of the State, which action, the Secretary of State, is hereby required to institute and prosecute.

Which amendments were adopted; and,

On motion by Mr. Ellis,

The bill was recommitted to a select committee consisting of, Messrs. Ellis, Stewart, and Osborn.

Mr. Henry asked and obtained leave to make the following report from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary to whom was referred bill of the House No. 128, entitled, "a bill creating the Marion Court of Common Pleas," have had the same under consideration and directed me to report the same back to the Senate, and recommend its passage;

And the bill was read a third time and passed.

Mr. Taber from a select committee made the following report :

MR. PRESIDENT :

The select committee to whom was referred bill of the House No. 104, to amend the charter of the Michigan Road Company, have had the same under consideration and have directed me to report it back with three amendments, and on their adoption to recommend its passage;

And the bill was read a third time and passed.

Mr. Houghton asked and obtained leave to introduce the following bill :

No. 152. A bill for the relief of Thomas Faris of Dubois county; Which was read a first time, and,

On motion by Mr. Houghton,

The rules were suspended and the bill read a second time; and,

On motion by Mr. Miller,

The bill was laid upon the table.

Mr. Hendricks asked and obtained leave to introduce the following bill :

No. 153. A bill to regulate the jurisdiction of Justices of the Peace in Jefferson and Rush counties ;

Which was read a first time ; and,

On motion by Mr. Hendricks,

The rules were suspended, and the bill read a second time ; and,

On further motion by Mr. Hendricks,

The rules were further suspended ; and,

The bill read a third time and passed.

Mr. Stewart asked and obtained leave to introduce the following bill :

No. 154. A bill repealing section three of an act entitled an act to require the bank to continue specie payments, and to enable it to maintain them, approved February 13th, 1843 ;

Which was read a first time and passed to a second reading.

Mr. Ellis asked and obtained leave to offer the following resolution :

Resolved, That the Auditor of State be requested to communicate to the Senate whether the Trustees of the Wabash and Erie Canal, have refunded to the Treasury out of the proceeds of the lands granted to the State in the Vincennes land district by the General Government, the amount paid for the selection and appraisalment of the same, the amount for the survey and location of the Wabash and Ohio Canal ;

Which resolution was adopted.

Mr. Buckles asked and obtained leave to introduce the following resolution :

Resolved, That the committee on finance be hereby authorized and empowered to send for persons and papers in reference to the inquiry imposed upon said committee, by resolution relative to the interest of the State of Indiana, in the Madison and Indianapolis Railroad ;

Which was adopted.

Mr. Adams asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of John Floyd, in relation to changing the name of John F. Brown, have had that subject under consideration and directed me to report the following bill and recommend its passage ;

No. 155. A bill to change the name of John F. Brown, to that of John Floyd ;

Which was read a first time, and,

On motion by Mr. Adams,

The rules were suspended and the bill read a second time, and,

On motion by Mr. Adams,

The rules were further suspended, and the bill read a third time, and passed.

Mr. Robinson asked and obtained leave to introduce the following bill :

No. 156. A bill for the better observance of the Sabbath ;

Was read a first time and passed to a second reading.

Mr. Malott asked and obtained leave to introduce the following bill :

No. 157. A bill to amend section 38 of chapter 19 of the Revised Statutes of 1843, and for other purposes ;

Was read a first time, and passed to a second reading.

On motion by Mr. Randall,

The previous order of business suspended, and bill,

No. 115. A bill to incorporate the Fort Wayne and Southern Railroad Company ;

Was taken from the table and passed.

Mr. Orth asked and obtained leave to introduce the following bill :

No. 158. A bill concerning the Lafayette and Indianapolis Rail Road company ;

Which was read a first time and

On motion by Mr. Orth,

The rules were suspended and the bill read a second time, and referred to the committee on corporations.

Mr. Garver asked and obtained leave to introduce the following bill :

No. 159. A bill to define the duties of executors and administrators in certain cases ;

Was read a first time and

On motion by Mr. Garver,

The rules were suspended, the bill read a second time, and referred to the judiciary committee.

Mr. Hendricks asked and obtained leave to introduce the following bill :

No. 160. A bill to incorporate the Indiana Council, No. 1, of the order of United American Mechanics ;

Which was read a first time and

On motion by Mr. Hendricks,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

Mr. Millikin asked and obtained leave to introduce the following bill :

No. 161. A bill respecting attorneys at law ;

Which was read a first time ; and,

On motion by Mr. Millikin,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

Mr. Garver asked and obtained leave to introduce the following bill :

No. 162. A bill to establish a seal for county recorders, and for other purposes ;

Was read a first time, and passed to a second reading.

The following message was received from the House of Representatives, by Mr Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate :

No. 35. An act incorporating the Lafayette Plank Road Company.

With sundry amendments, in which the concurrence of the Senate is respectfully requested.

And on motion by Mr. Ellis,

The Senate concurred in the engrossed amendments of the House, to the said engrossed bill of the Senate.

Also, the following message was received from the House of Representatives by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate :

No. 63. An act to amend the several acts now in force incorporating the town of Greensburgh ;

No. 73. An act relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of the Revised Statutes of 1843 ;

With sundry amendments in which the concurrence of the Senate is respectfully requested.

And on motion by Mr. Robinson,

The Senate concurred in the engrossed amendment of the House, to the engrossed bill of the Senate, contained in the message, entitled,

No. 63. An act to amend the several acts now in force incorporating the town of Greensburg ;

And on motion by Mr. Osborn,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate entitled,

No. 73. An act relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of the Revised Statutes of 1843 ;

Mr. Hubbard from the committee on corporations asked and obtained leave to make the following report :

MR. PRESIDENT :

The committee on corporations, to which was referred the petition of the members of the Washington Fire Company, asking for an act of incorporation, have had the same under consideration, and also bill of the Senate, No. 107, on the same subject, and have directed me to report said bill back to the Senate and recommend its passage ;

And,

On motion by Mr. Hendricks,

The rules were suspended, the bill considered as engrossed, read a third time and passed.

Mr. Millikin asked and obtained leave to make the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 129, have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage.

And,

On motion by Mr. Millikin,

The rules were suspended, and the bill considered as engrossed, read a third time, and passed.

Mr. Davis asked and obtained leave to make the following report from the committee on the State Bank :

MR. PRESIDENT :

The committee on the State Bank, to which was referred bill of the House, No. 88, to facilitate the discharge of mortgages given to the State for the payment of Bank stock, have had said bill under consideration, and have instructed me to report the same back to the Senate, and recommend its passage ;

And the bill was read a third time and passed.

Mr. Herod asked and obtained leave to offer for adoption the following resolution :

Resolved, That the committee on military affairs be instructed to inquire into the expediency of reporting to the Senate a joint memorial praying Congress to extend to the soldiers of the late war with England the provisions of the Act of Congress, approved February 11th, 1847, in relation to bounty lands.

The President, *pro. tem.*, laid before the Senate a communication from sundry citizens of Vermillion county, in relation to the completion of certain side cuts and outlets of the Wabash and Erie Canal, therein named;

Which was read, and,

On motion,

Referred to the committee on canals and internal improvements.

Mr. Osborn asked and obtained leave to present

The petition of Henry Wells and others, citizens of Lake county relative to restraining hogs from running at large in said county;

Which was referred to the committee on agriculture.

On motion,

The Senate adjourned.

TUESDAY MORNING, JAN. 2, 1849.

The Senate met.

On motion by Mr. Millikin,

The Senate dispensed with the reading of the journal of the previous day.

Mr. English made the following report from the committee on claims:

MR. PRESIDENT:

The committee on claims to which was referred the memorial of James Collins of Jay county, praying for a divorce, have had the same under consideration, and have directed me to report that they are of the opinion that the prayer of said memorialist ought not to be granted, and have directed me to report the same back and recommend it to be laid on the table, and ask to be discharged.

Which report was concurred in, and the memorial laid upon the table.

Mr. English, from the committee on claims, made the following report:

MR. PRESIDENT:

The committee on claims to which was referred bill of the Sen-

ate No. 112, an act for the relief of H. K. Wright and Jacob Barcus, have had the same under consideration, and have directed me to report the same back and recommend it to be laid on the table.

Which report was concurred in, and the bill laid on the table.

Mr. James, from the committee on finance, made the following report:

MR. PRESIDENT:

The committee on finance, to which was referred a resolution of the Senate instructing them to enquire into the expediency and practicability of so amending the revenue laws as to provide for the payment into the State Treasury of one-third or one-half of the revenue of the current year, prior to the 1st day of January, with leave to report by bill or otherwise, have had the same under consideration, and have directed me to report that it is inexpedient to legislate upon the subject, and the committee ask to be discharged from the further consideration thereof.

Which report was concurred in, and the committee discharged.

Mr. Conduit made the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred the petition of Charlotte Slaughter, praying for a divorce, have had the subject under consideration, and a majority have directed me to report the following bill, in accordance with the petition, and recommend its passage:

No. 163. A bill for the relief of Charlotte Slaughter, of the county of Morgan.

Was read a first time, and passed to a second reading.

Mr. Orth introduced the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of reporting an act to change the time of the meeting of the Legislature from the first Monday in December to the first Monday in January annually.

Which resolution was adopted.

BILLS INTRODUCED.

By Mr. Orth,

No. 164. A bill to amend an act in relation to the sale of real estate by executors and administrators, approved January 13, 1845.

Which was read a first time; and,

On motion by Mr. Orth,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

By Mr. Robinson,

No. 165. A bill to repeal the three hundredth and thirty-sixth section of the twelfth article of chapter forty of the Revised Statutes of 1843.

Which was read a first time, and passed to a second reading.

By Mr. Hendricks,

No. 166. A bill to amend an act entitled "an act to incorporate the Madison and Napoleon Turnpike company;"

Which was read a first time, and,

On motion by Mr. Hendricks,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

By Mr. Millikin,

No. 167. A bill to amend section 427, chapter 30, Revised Statutes of 1843;

Which was read a first time and passed to a second reading.

By Mr. Adams,

No. 168. A bill to authorize the county commissioners of the several counties in the 10th judicial circuit to make an allowance to prosecuting attorneys;

Which was read a first time, and,

On motion by Mr. Adams,

The rules were suspended, and the bill read a second time, and, referred to the committee on the judiciary.

By Mr. Huffstetter,

No. 169. A bill to amend the 30th chapter of article 8 of Revised Statutes of 1843;

Which was read a first time, and passed to a second reading.

The President *pro tem.* announced Mr. Taber as chairman of the committee on the State Prison.

On motion by Mr. Morrison,

Leave of absence was granted to Mr. Beard.

On motion by Mr. Osborn,

Leave of absence was granted to Mr. Cornett.

Mr. Robinson asked and obtained leave to withdraw from the files the petition presented by him at the last session of the General Assembly, for the relief of John Stoop.

On motion by Mr. Dole,

The communication from the trustee of the Wabash and Erie Canal on the part of the State, in answer to a resolution of the Senate in relation to the construction of certain side cuts of said canal in Vermillion county;

Was taken from the table, and,

Referred to the committee on canals and internal improvements.

On motion by Mr. Montgomery,

The previous order of business was suspended, and bill of the Senate, entitled,

No. 79. A bill to provide for the enforcement of the State debt act, and the act supplemental thereto;

Was taken from the table, and,

Referred to the committee on canals and internal improvements.

ORDERS OF THE DAY.

Joint resolutions and bills on their third reading.

No. 18. A joint resolution (of the House) on the subject of slavery;

Which was read a first time, and,

Upon the passage of the same,

And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, Evans, Garver, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Milligan, Montgomery, Orth, Osborn, Porter, Robinson, Rousseau, Simpson and Waters—26.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Graham, Green, Hardin, Henry Huffstetter, James, Malott, McCarty, Millikin, Miller, Morrison Read, Sleeth and Stewart—16.

So the joint resolution as amended passed.

Ordered, That Mr. Orth report the same to the House of Representatives, with the amendments of the Senate thereto.

No. 60. A bill to provide for taking the sense of the qualified voters of this State, on the calling of a convention to alter, revise, or amend the constitution of this State;

Was read a third time, when,

Mr. Stewart moved a call of the Senate;

Which was ordered,

And the call having been proceeded with,

On motion by Mr. Henry,

The further call was suspended,

The question being, shall the bill pass?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Davis, Day of Kosciusko, Day of St. Joseph, English, Garver, Graham, Green, Hardin, Harvey,

Hendricks, Henry, Herod, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Millikin, Milligan, Miller, Montgomery, Morrison, Osborn, Randall, Read, Sleeth, Stewart, Taber, Walpole and Waters—34.

Those who voted in the negative are,

Messrs. Conduit, Dole, Ellis, Hamrick, Holloway, Houghton, Marsh, Orth, Porter, Robinson, Rousseau and Simpson—12.

So the bill passed.

No. 117. A Bill for the relief of Martin Fitzpatrick,

Which was read a third time; and,

The question being, shall the bill pass?

And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Buckles, Conduit, Day, of Kosciusko, Day, of St. Joseph, English, Evans, Graham, Green, Hardin, Hendricks, Herod, Houghton, Hubbard, James, Millikin, Miller, Morrison, Randall, Read, Robinson, Rousseau, Stewart, Walpole, and Waters—24.

Those who voted in the negative are,

Messrs. Coates, Davis, Dole, Ellis, Hamrick, Harvey, Holloway, Huffstetter, Marsh, Malott, Milligan, Montgomery, Orth, Porter, Simpson, Sleeth, and Taber—17.

So the bill passed.

No. 118. A Bill for the benefit of the Ohio and Indianapolis Rail Road Company, and changing the name and style of said Company: Which was read a third time, and passed.

No. 123. A Bill to incorporate the Indiana Fire and Marine Insurance Company.

Which was read a third time, when,

On motion by Mr. Osborn,

The bill was re-committed to a select committee, consisting of Messrs. Ellis, Stewart and Osborn,

With instructions to enquire into the provisions of the bill, and ascertain if it is properly guarded.

The following message was received from the House of Representatives by their Clerk.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Sen-

ate, that the Speaker of the House, has signed the following enrolled acts of the House:

No. 36. An act to change the name of Andrew Turner, alias John Turner, to that of John Anderson Barnes.

No. 52. An act for the relief of Alvin N. Blacklidge and the heirs of Robert Thompson, deceased.

No. 96. A Joint Resolution in relation to the time of payment of the semi-annual interest due to the bondholders of this State.

Which I am directed to bring to the Senate for the signature of the President thereof.

The following message was received from the House of Representatives by Mr. Dodd their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled act of the Senate:

No. 12. An act to fix the time of holding courts in the first Judicial Circuit, and the Probate Court of Tippecanoe county.

Which I am directed to bring to the Senate for the signature of the President thereof.

BILLS ON THEIR SECOND READING.

No. 94. A Bill to amend an act entitled, an act to incorporate the White Water Canal Company, approved January 20, 1842, and for other purposes;

The question being upon the motion by Mr. Holloway,

To re-commit the bill as amended, to the committee on the judiciary,

When Mr. Walpole moved to amend the motion by Mr. Holloway, so as to include the following instructions:

That said committee be instructed to enquire into, and report upon the following points:

1st. Is the State of Indiana by its contract with the lessees of water power on said canal, bound by its contract, and faith, to supply the water power to said lessees.

2d. To enquire and report, if by law, said Canal Company is liable to said lessees to an action at law or equity for the now supply of Hydraulic power to said lessees on said canal, where the lessees were made by the State, and if said committee shall find that such right exists, by what law is the said right conferred.

3d. To enquire, in case said committee find the State bound to supply said lessees with water power, and the company by its charters, was bound to perform the covenants for the State, and the same is ascertained to not have been fulfilled by said company, and report, if the State in the exercise of sovereign power, can seize

said canal, its revenues, and appropriate the same, so in the repairs of said canal, so as offered said lessees, with the water power, that they are by their contract entitled to. Also, has the Legislature the power to amend the charter before the expiration of fifteen years from the approval of the act, incorporating the White Water Canal Company, if the fact is ascertained that said Company has failed to keep said canal in repairs and furnish the water power, sold by the State on said canal from the Ohio river to the point of completion. And, also, to enquire in what way or manner the State can seize upon the said canal. And said committee may permit the lessees under the State, and the said Company, to be heard by counsel upon all questions of law.

When Mr. Holloway moved to amend said instructions as follows: Instruct further,

That for the purpose of making inquiry into the liability of the State or company to furnish water to said lessees, said committee shall have power to send for persons and papers.

When Mr. Walpole moved to amend the amendment by adding the following:

If, however, a copy of the leases executed by the agent of State to other persons for water power executed prior to January, 1842, can be obtained in this city, then said committee shall not send for persons and papers.

The question being upon the adoption of the amendment to the amendment to the instructions; when,

Mr. Millikin called for a division of the question,

And the President pro. tem. having decided the question susceptible of division, stated,

That the first question will be,

Will the Senate recommit the bill?

The ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Coates, Conduit, Davis, Ellis, Evans, Garver, Hamrick, Harvey, Hendricks, Holloway, Houghton, Hubbard, Marsh, Miller, Montgomery, Orth, Osborn, Porter, Rousseau, Simpson, Taber, and Waters—22.

Those who voted in the negative are

Messrs. Day, of Kosciusko, English, Graham, Green, Henry, Herod, Huffstetter, James, Malott, McCarty, Millikin, Morrison, Randall, Read, Robinson, Stewart, and Walpole—17.

So the Senate determined to recommit said bill.

The question then recurring upon the adoption of the amendment to the amendment to the instructions,

And before the question was taken,
The Senate adjourned.

Two o'clock, P. M.

The Senate met;

On motion by Mr. Robinson,

The previous order of business was suspended, and on leave granted introduced the following resolution:

Resolved, That when the Senate adjourns, it will adjourn until Thursday next at nine o'clock, A. M.

Which was adopted.

On motion by Mr. Davis,

The previous order of business was suspended, and on leave granted, introduced the following resolution:

Resolved, That the thanks of the Senate are due and are hereby tendered to the Hon. P. C. Dunning for the able, impartial and dignified manner in which he has presided over our deliberations, and that in retiring from the position he has filled in this body with credit to himself, and with satisfaction to the Senate, he carries with him the respect and best wishes of each Senator.

And that the Secretary of the Senate communicate a copy of this resolution to His Excellency, P. C. Dunning.

Which was unanimously adopted.

Mr. Rousseau asked and obtained leave to introduce the following petition:

The petition of sundry citizens of the counties of Green, Owen, and Monroe, praying the location of a State road therein mentioned; which,

On motion by Mr. Rousseau,

Was referred to a select committee consisting of Messrs. Rousseau, Houghton, and Robinson.

The Senate then resumed the consideration of the instructions and pending amendments thereto, instructing the committee on the judiciary in relation to bill of the Senate, entitled,

No. 94. A bill to amend an act entitled an act to incorporate the White Water Canal Company, approved 20th of January, 1842, and for other purposes;

The question being upon the adoption of the amendment to the amendment to the instructions,

When Mr. Millikin moved a call of the Senate, which was ordered,

And the call having been proceeded with,

On motion by Mr. Rousseau,

The further call was suspended.

The question again recurring upon the adoption of the amendment to the amendment to the instructions.

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Coates, Day of Kosciusko, Day of St. Joseph, English, Garver, Graham, Green, Henry, Herod, James, Malott, Martin, McCarty, Millikin, Milligan, Miller, Morrison, Osborn, Randall, Read, Robinson, Sleeth, Stewart, Walpole and Waters—26.

Those who voted in the negative are,

Messrs. Cassatt, Davis, Evans, Harvey, Hendricks, Holloway, Houghton, Hubbard, Huffstetter, Marsh, Orth, Porter, Rousseau, Simpson, and Taber—15.

So the amendment to the amendment was adopted.

The question then being upon the adoption of the amendment as amended, and

The ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Cassatt, Davis, Evans, Harvey, Hendricks, Holloway, Houghton, Hubbard, Marsh, Malott, Milligan, Miller, Orth, Porter, Rousseau, Simpson, and Taber—17.

Those who voted in the negative are,

Messrs. Adams, Coates, Day of Kosciusko, Day of St. Joseph, English, Garver, Graham, Green, Henry, Herod, James, Martin, McCarty, Millikin, Montgomery, Morrison, Osborn, Randall, Read, Robinson, Sleeth, Stewart, Walpole, and Waters—24.

¶ [So the amendment as amended was not adopted.]

The question then being upon the adoption of the instructions,

Mr. McCarty moved to amend the instructions as follows:

That said committee be further instructed to so amend said bill as to require that the aqueduct across the White Water river at or near Laurel be absolutely rebuilt by the said 15th day of September 1849.

The question being upon the adoption of the amendment to the instructions.

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Garver, Marsh, McCarty, Randall, Read, Robinson, Stewart, Taber and Waters—9.

Those who voted in the negative are,

Messrs. Coates, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, English, Evans, Graham, Green, Hamrick, Hardin, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Malott, Martin, Millikin, Miller, Montgomery, Morrison, Orth, Osborn, Porter, Rousseau, Simpson, Sleeth, and Walpole—32.

So the amendment to the instructions was not adopted.

The question again recurring upon the adoption of the instructions,

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Coates, English, Garver, Graham, Green, Hardin, Henry, Herod, Hubbard, Huffstetter, James, Martin, Millikin, Montgomery, Morrison, Osborn, Randall, Read, Robinson, Sleeth, Stewart, Walpole, and Waters—23.

Those who voted in the negative are,

Messrs. Cassatt, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Ellis, Evans, Hamrick, Harvey, Holloway, Houghton, Marsh, Malott, McCarty, Miller, Orth, Porter, Simpson, and Taber—19.

So the instructions were adopted.

Mr. Graham from the committee on corporations asked and obtained leave to make the following report:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate, No. 116, entitled "a bill to incorporate the Winchester and Fort Wayne Rail Road Company" have directed me to report it back with the following amendment, add to the 1st section the following, "provided, however, that the President and Directors of said company shall be liable in their individual capacity for all debts

contracted in and for the prosecution of said work, over and above the amount of solvent stock secured to said company; and the legislature reserves the right to alter, amend, or abolish said charter whenever any of its privileges shall be violated by said Company," and upon the adoption of this amendment recommend its passage;

Which amendment was not adopted,

Whereupon the bill was ordered to be engrossed for a third reading.

The Senate then resumed the consideration of the

ORDERS OF THE DAY.

Bills on their Second reading.

No. 44. A bill (of the House) authorizing the recorders of Franklin and Switzerland counties to make out a general index;

Which was read a second time, and ordered to a third reading.

No. 79. A bill (of the House) for the relief of certain land owners within the corporate limits of the city of Rising Sun in Ohio county;

Which was read a second time, and

On motion by Mr. Green,

The rules were suspended, and

The bill read a third time and passed.

No. 94. A bill (House) to authorize the erection of a new Seminary in Henry county;

Which was read a second time; and,

On motion by Mr. Evans,

The rules were suspended and the bill read a third time and passed.

No. 105. A bill (House) for the relief of Magdalena Pfalzgraf;

Which was read a second time; and,

On motion by Mr. Hardin,

The rules were suspended and the bill read a third time and passed.

No. 119. A bill (House) to legalize the election of Prosecuting Attorney in the county of Daviess;

Which was read a second time; and,

On motion by Mr. Houghton,

The rules were suspended and the bill read a third time and passed.

No. 133. A bill (House) to repeal an act entitled, "an act to extend the jurisdiction of Justices of the Peace in the counties of Lake and Porter," approved February 14th, 1848;

Which was read a second time and ordered to a third reading.

No. 138. A bill (House) to amend the 69th section of the 7th article of the 5th chapter of the Revised Statutes of 1843;

Which was read a second time, and referred to the committee on the judiciary.

No. 140. A bill for the relief of James Vawter;

Which was read a first time; when,

On motion by Mr. Davis,

The name of "Michael G. Bright" was stricken out, and the name of "John J. Cummins" inserted in lieu thereof,

And the question being shall the bill be engrossed for a third reading; and,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Davis, English, Harvey, Hendricks, Herod, Holway, Houghton, Hubbard, Martin, Millikin, Milligan, Montgomery, Morrison, Orth, Osborn, Randall, Rousseau, Simpson, Walpole, and Waters—21.

Those who voted in the negative are,

Messrs. Buckles, Coates, Conduit, Day of St. Joseph, Day of Kosciusko, Ellis, Evans, Garver, Graham, Green, Hamrick, Hardin, Henry, James, Marsh, Malott, Porter, Read, Robinson, Sleeth, Stewart, and Taber—22.

So the Senate refused to order the bill to be engrossed for a third reading.

On motion by Mr. Houghton,

The previous order of business was suspended and leave granted him to introduce the following bill:

No. 170. A bill to amend an act in relation to the New Albany and Vincennes Road;

Which was read a first time; and,

On motion by Mr. Houghton,

The rules were suspended and the bill read a second time, and referred to a select committee consisting of,

Messrs. Houghton, Davis, Porter, Huffstetter, Morrison, and Ellis.

Mr. Martin asked and obtained leave to introduce the following bill:

No. 171. A bill to regulate the fees and enrolments of the Auditor and Treasurer of Lagrange county;

Which was read a first time; and,

On motion by Mr. Martin,

The rules were suspended the bill read a second time; when,

Mr. Marsh moved to amend by adding the county of Steuben;

Which was adopted,

And the bill ordered to be engrossed for a third reading.

The following message was received from the House of Representatives by Mr. Dodd their Clerk:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has this day signed the following enrolled act of the Senate :

No. 40. An act to incorporate the Dayton and Frankfort Plank Road Company ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate without amendment :

No. 4. An act to incorporate the Richmond and Newport Turnpike Company.

Also, the following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate :

No. 10. An act to incorporate the Columbus, Nashville, and Bloomington Railroad Company ;

No. 21. An act to authorize Patsey C. Paden to sell certain real estate she inherited from her father ;

No. 29. An act to give effect to the last will and testament of Jane Parker ;

No. 31. An act to amend an act, entitled "An act regulating the practice of law in the Allen circuit court, and for other purposes."

No. 34. An act to locate a State road in the counties of Decatur, Jennings, and Bartholomew ;

No. 51. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the corporation of the town of Vevay," approved 20th January 1846 ;

No. 35. An act to incorporate the Lafayette Plank Road Company ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the Senate :

No. 11. An act to authorize the Secretary of State to send an additional number of copies of the laws of the State to the county of Jay ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the House :

No. 69. An act to incorporate the United Protestant German Saint Zion Church in Union township, Shelby county, Indiana ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Hamrick made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have examined and compared enrolled bills of the Senate No. 12, 29, 51, 34, 31, 11, and 35, and find them correctly enrolled.

Hr. Hamrick made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have compared enrolled bills of the Senate No. 21, 10, 40, with the engrossed bills, and have corrected them to correspond with the engrossed thereof.

Mr. Stewart asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the Senate No. 123, entitled an act to incorporate the Indiana Fire and Marine In-

insurance Company, have had the same under consideration, and instructed me to report the same back to the Senate.

The bill being still open to amendment,
Mr. Walpole moved to amend the bill as follows :
Add the following :

There shall be no agency created or established in either of the counties of Madison or Hancock, nor shall it be lawful for said company to have and hold any interest whatever in any personal or real estate, in either of the counties aforesaid ;

Which was adopted,
And the bill passed.

Mr. Ellis asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which had been referred Senate bill No. 127, have intrusted me to report the same back with the following amendment, and recommend its passage :

Amend the title by substituting the following :

"An act to incorporate the Franklin Insurance Company ;"
Also, amend by striking out from the enacting clause, and inserting the following, herewith presented :

An Act to incorporate the Franklin Insurance Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana:* That there shall be, and hereby is established, in the city of Indianapolis, an Insurance Company, with a capital stock of two hundred thousand dollars, divided into shares of one hundred dollars each, and subscribed and paid for by individual, or individuals, other than incorporated companies, in manner hereinafter specified, which stockholders and subscribers, and their successors shall be, and are hereby made a body politic and corporate by the name and style of the "Franklin Insurance Company," for the period of twenty-five years from and after the passage of this law, and by that name shall be competent to contract, and be contracted with, to sue and be sued in all courts of this State and of the United States, where said company may transact business; said company may have power to buy, or hold real estate, or to take the same for debt not exceeding \$50,000 in amount at any one time.

SEC. 2. Said Company may insure all kinds of property against loss or damage by fire; against the risk of transportation and inland navigation, and the risks of marine or sea risks, and re-insure themselves when deemed expedient.

SEC. 3. The said Company shall have power to invest their

capital in government and State stocks and the stocks of incorporated Banks and Institutions, to make temporary loans on real or personal security, but are not allowed to emit bills of credit, certificates of deposit, or any bills payable to order or bearer, as a circulating medium, or to engage in the business of banking, and are hereby prevented by this act from receiving from individual or individuals more than the legal rate of interest for money loaned or real estate.

SEC. 4. All policies of insurance shall be subscribed by the President and attested by the Secretary, or by such other officer as may be designated, and being so signed and attested shall be obligatory and binding on said company without the seal thereof, the business of said company may be carried on without the presence of the board of directors, by the regular officers, the President and Secretary, subject to the by-laws of said company, all losses sustained shall be paid in 60 days after notice and proof of loss shall be presented.

SEC. 5. No stock shall be assignable unless fully paid for and then only on the books of the Company.

SEC. 6. That books for subscriptions to the capital stock of said Company shall be opened in said city, by and under the direction of P. B. L. Smith, D. Wallace, A. A. Hammond, of Indianapolis, F. M. Finch of Franklin, T. T. Benbridge of Lafayette, and A. B. Miller of Fort Wayne, who are hereby appointed Commissioners for that purpose, whose duty it shall be, or any three of them, to give notice of the time and place of opening books for subscriptions by advertisement in all the papers printed in said city; and it shall be lawful for any individual or individuals other than incorporated companies to subscribe for any number of shares, and there shall be paid at the time of subscribing five per cent. in cash; and it shall be the duty of the said commissioners as soon as one thousand shares are subscribed amounting to one hundred thousand dollars to give two weeks' notice in all the papers printed in said city of the time and place to meet and elect the first board of nine directors.

SEC. 7. That as soon as the board of directors are elected as aforesaid, it shall be the duty of the commissioners to pay over to the said board of directors all moneys that may be in their hands, as also all books and papers belonging to said Company; and it shall be the duty of the directors before they proceed to make any policies of insurance to demand and receive of each stockholder the full amount of the stock subscribed, which payment shall be made either in cash or bonds and mortgages, or in stocks, or in stock notes payable on demand, and approved of by the directors and commissioners severally and collectively, as also by the Treasurer and Auditor of State, and if any stockholder shall fail to make such payment, or give such security as aforesaid within thirty days after the election of directors, such stockholder shall forfeit the amount paid on such stock at the time of subscribing. The bal-

ance of stock, should it not all be subscribed, may be offered for sale at any other time by the board of directors.

SEC. 8. The real and personal estate and affairs of said corporation shall be under the administration of nine directors who shall be citizens of this State, and after the first election shall be chosen annually (by the stockholders or their proxies, each share entitled to one vote) on the first Monday in January—notice shall be given in the papers printed in said city—and three stockholders, not directors, shall be previously appointed by the board of directors to conduct such election, and a plurality shall elect.

SEC. 9. The stockholders may at any regular meeting either increase or diminish the number of directors, provided there shall never be less than five nor more than thirteen.

SEC. 10. Said Company shall, on the first week in January and July, cause a balance sheet made, and if by exhibit a clear net profit shall have been made a dividend may be made and payable in cash on all stock fully paid for; but should it be otherwise, the dividend shall be deducted from the stock notes held by the Company.

SEC. 11. One per cent. annually on the premiums received shall be paid annually to the State Auditor for the benefit of the school fund.

SEC. 12. No stockholder or director shall become borrowers or endorsers of said Company, and shall not directly or indirectly receive any loans, monies, or funds of said Company on real or personal security; and in all cases where execution shall issue against said corporation, the same shall be first levied on the goods, chattels, lands, and tenements of said corporation as its joint property, and on a return on such execution of no property, or not a sufficiency of property to satisfy said corporation, then and in that case the individual property of the corporators who are or were stockholders at the time the debt, demand, or liability accrued shall be held liable for said debt to the amount of his, her, or their stock and no further; but no execution shall issue against any stockholders in their individual capacity until a *scire facias* shall be issued against and served on them to appear and shew cause, if any they can, why execution shall not go against them, and upon such trial the stockholder may be permitted to plead he was not a stockholder at the time of contracting such debts, demands, or liability, or that the corporation was not liable for said debts, or any other cause of legal defence.

SEC. 13. This act shall take effect from and after its passage and publication in the State Sentinel, and shall be deemed and taken to be a public act, and shall be construed favorably for every benefit proposed.

The question being upon the adoption of the amendment, and before the same was taken,

The Senate adjourned until Thursday morning at 9 o'clock.

THURSDAY MORNING, JANUARY 4, 1849.

The Senate met pursuant to adjournment;

The journal of Tuesday was read.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That this House will, the Senate concurring therein, proceed on Thursday the 4th inst., at 10 o'clock, A. M., to the election of a Judge of the Marion court of common pleas;

And,

On motion by Mr. Herod,
The Senate reciprocated said resolution.

Also, the following message was received from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 241. An act to provide for the publication of ordinances in the town of Terre Haute, in certain cases;

In which the concurrence of the Senate is respectfully requested.

And bill contained in said message, entitled,

No. 241. A bill to provide for the publication of ordinances in the town of Terre Haute, in certain cases;

Was read a first time, and,

On motion by Mr. Henry,
The rules were suspended, the bill read a second time, and,

On further motion by Mr. Henry,
The rules were further suspended, and,
The bill read a third time and passed.

PETITIONS PRESENTED.

By Mr. Holloway,

The petition of sundry citizens of Jackson township, Wayne county, on the subject of retailing spirituous liquors in said township;

Which was referred to the committee on the judiciary.

Also, by Mr. Holloway,

The petition of Owen Edgerton and others, asking a repeal of the black laws;

Which was referred to the same select committee to which a similar petition had been heretofore referred.

Also, by Mr. Holloway,

The petition of sundry citizens of the town of Boston, in Wayne county, on the subject of school districts in said county;

Which was referred to the committee on education.

By Mr. Coates,

The petition of sundry citizens of the county of Fountain, on the subject of a school law;

Which was referred to the committee on education.

By Mr. Milligan,

The petition of sundry citizens of the county of Jay, on the subject of reducing the fees of county officers in said county;

Which was referred to a select committee, consisting of Messrs. Milligan, Coates and Marsh.

By Mr. Cassatt,

The petition of the citizens of Wabash, praying for a charter;

Which was referred to a select committee, consisting of Messrs. Cassatt, English and Houghton.

By Mr. Waters,

The petition of sundry citizens of the county of Clinton, asking for the passage of an act for the re-appraisement of certain school land, therein mentioned;

Which was referred to a select committee, consisting of Messrs. Waters, Taber and Conduit.

By Mr. Montgomery,

The petition of sundry citizens of Jasper county, praying for the repeal of the "Wolf Scalp Law," in said county;

Which was referred to a select committee, consisting of Messrs. Montgomery, Coates and Dole.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled act of the House:

No. 128. An act creating the Marion Court of Common Pleas;

Which I am directed to bring to the Senate for the signature of the President thereof.

REPORTS FROM STANDING COMMITTEES.

By Mr. Hendricks, from the committee on finance:

MR. PRESIDENT:

The committee on finance, to which was referred a resolution of the Senate, instructing them to inquire into the expediency of allowing County Treasurers mileage for collecting taxes from delinquents, as recommended by the Auditor in his last report, on page 76, have had the subject under consideration, and have directed me to report the following bill, and recommend its passage:

And bill,

No. 172. A bill allowing County Treasurers mileage for the collection of delinquent taxes;

Was read a first time, and passed to a second reading.

By Mr. Malott, from the committee on finance:

MR. PRESIDENT:

The committee on finance, to which was referred a resolution of the Senate, instructing the committee "to inquire into the expediency of so amending sections 63, 64 and 65, of chapter 12 of Revised Statutes of 1843, so that the payment of taxes on any particular tract of land, shall exempt the same from all levy for taxes assessed against the person to whom the same stands taxable," have had the same under consideration and directed me to report that it is inexpedient to legislate upon that subject, and ask to be discharged from the further consideration of the same.

Which report was concurred in, and the committee discharged.

By Mr. Day of Kosciusko, from the committee on finance:

MR. PRESIDENT:

The committee on finance, to whom was referred bill from the House, No. 154, have had the same under consideration, and direct me to report, recommending its final passage.

Whereupon,

On motion by Mr. Houghton,
The bill was laid upon the table.

By Mr. Buckles, from the committee on finance:

MR. PRESIDENT :

The committee on finance, to whom was referred bill No. 132, authorizing the several county Treasurers to redeem the six per cent. and one-quarter per cent. Treasury notes, have had the same under consideration, and directed me to report the same back and recommend that further legislation upon the subject is inexpedient.

Which report was concurred in.

By Mr. Stewart, from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary, to whom was referred bill of the Senate No. 5, "an act to exempt a homestead from forced sale in certain cases," have had the same under consideration, and instructed me to report the same back to the Senate without amendment, for the action of the same.

The bill still being open to amendment,

Mr. Henry moved the following amendment to the bill :

Add, in the proper place, the following :

"That the quantity of property selected shall not in any case exceed in value the sum of five hundred dollars."

The question being upon the adoption of the amendment,

Mr. Conduit proposed the following amendment to the amendment :

Strike out the words "five hundred," and insert in lieu thereof the words "one thousand."

The question being upon the adoption of the amendment to the amendment,

And before the said question was taken,

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution :

Resolved, That the Senate be invited to attend in the Hall of the House, instantan, for the purpose of going into the election of a Judge of the Marion Court of Common Pleas, and that seats be provided for their accommodation on the right of the Speaker's chair.

The Senate then proceeded, preceded by their President *pro tem*, to the Hall of the House of Representatives, took the seats prepared

for them, and proceeded by joint ballot of the two Houses of the General Assembly to the election of a Judge of the Marion Court of Common Pleas,

Messrs. Randall and Herod acting as tellers on the part of the Senate, and Messrs. Drake and Morgan on the part of the House ; And upon counting the first ballot, it appeared that—

Abram A. Hammond received	- - -	105 votes.
John H. Thompson received	- - -	15 votes.
Ovid Butler received	- - -	5 votes.
Blank,	- - -	17 votes.

Abram A. Hammond, having received a number of votes equal to a majority of all the votes given, was declared by the President of the Senate *pro tem*, acting as the President of the Convention, duly elected Judge of the Marion Court of Common Pleas, to serve as such for the term of seven years from and after the present date.

The President then declared the convention adjourned *sine die*,

And the Senate returned to their chamber.

The Senate then resumed the consideration of bill of the Senate entitled,

No. 5. A bill to exempt a homestead from forced sale in certain cases,

And the pending amendments thereto ;

And the question being upon the adoption of the amendment to the amendment,

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Conduit, Day of St. Joseph, Dole, Garver, Hendricks, Marsh, Orth, Randall, Robinson, Rousseau and Stewart—11.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Day of Kosciusko, English, Evans, Graham, Green, Hamrick, Harvey, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Millikin, Miller, Montgomery, Morrison, Osborn, Porter, Read, Simpson, Sleeth, Taber, Walpole and Waters—35.

So the amendment to the amendment was not adopted.

The question then recurring upon the adoption of the amendment,

When Mr. Hubbard moved to lay the bill and pending amendment upon the table,

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Buckles, Cassatt, Coates, Conduit, Ellis, English, Graham, Hamrick, Hardin, Harvey, Hendricks, Herod, Houghton, Hubbard, Huffstetter, James, Malott, McCarty, Miller, Montgomery, Porter, Read, Robinson and Sleeth—24.

Those who voted in the negative are,

Messrs. Adams, Beard, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Evans, Garver, Green, Henry, Holloway, Marsh, Martin, Millikin, Morrison, Orth, Osborn, Randall, Rousseau, Simpson, Stewart, Taber, Walpole and Waters—24.

So the bill and pending amendment were not laid upon the table.

The question then recurring upon the adoption of the amendment, When Mr. Osborn moved to amend the amendment as follows: Insert in the proper place in the bill the following section:

Sec. —. Real property shall be sold on execution or by virtue of any other process issued by any officer of this State, for any sum not less than one half of its fair cash value, after deducting all incumbrances thereon, and personal property to the highest bidder for cash; *Provided*, That the act, entitled an act to require the bank to continue specie payments, and to enable it to maintain them, approved January 13th, 1843, be, and the same is hereby continued in full force.

The question being upon the adoption of the amendment to the amendment,

When Mr. Ellis moved to lay the bill and pending amendments upon the table.

And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Buckles, Cassatt, Coates, Conduitt, Ellis, English, Graham, Hamrick, Hardin, Harvey, Herod, Houghton, Hubbard, Huffstetter, James, Malott, McCarty, Miller, Montgomery, Porter, Read, Robinson, Sleeth and Walpole—24.

Those who voted in the negative are,

Messrs. Adams, Beard, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Evans, Garver, Green, Hendricks, Henry, Holloway, Marsh, Martin, Millikin, Morrison, Orth, Osborn, Randall, Rousseau, Simpson, Stewart, Taber and Waters—24.

So the bill and pending amendments were not laid upon the table.

The question again recurring upon the adoption of the amendment to the amendment,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Conduit, Davis, Day of Kosciusko, Dole, Evans, Hendricks, Herod, Hubbard, James, Marsh, Martin, Osborn, Randall, Sleeth, Stewart, Taber, Walpole and Waters—18.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Day of St. Joseph, Ellis, English, Garver, Graham, Green, Hamrick, Hardin, Harvey, Henry, Houghton, Huffstetter, McCarty, Millikin, Miller, Montgomery, Morrison, Orth, Porter, Read, Robinson, Rousseau and Simpson—28.

So the amendment to the amendment was not adopted.

The question again recurring upon the adoption of the amendment,

When Mr. Osborn moved to indefinitely postpone the bill and pending amendments,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Cassatt, Coates, Conduit, Ellis, English, Graham, Hardin, Harvey, Hendricks, Herod, Houghton, Hubbard, Huffstetter, James, Malott, McCarty, Miller, Montgomery, Osborn, Porter, Read, Robinson and Taber—23.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Evans, Garver, Green, Henry, Marsh, Martin, Millikin, Morrison, Orth, Rousseau, Simpson, Stewart, Walpole and Waters—21.

So the bill and pending amendments were indefinitely postponed.

Mr. Hubbard, from the committee on claims, made the following report:

MR. PRESIDENT :

The committee on claims to whom was referred bill of the Senate No. 119, entitled, "a bill appointing a commission in the case of Morehead, Hall & Co., has had the same under consideration and directed me to report the same back without amendment, for the action of the Senate, and said committee ask to be discharged from the further consideration of the matter.

When Mr. Beard moved to re-commit the bill to the committee on claims.

Whereupon,

Mr. Harvey moved to amend the motion by Mr. Beard, so as to include the following instructions:

That said committee be instructed to add the followidg section to the bill :

SEC. —. Nothing in the foregoing preamble contained, shall be construed in any way into an admission on the part of the State, of the truth of any of the matters therein set forth.

Which amendment to the motion was adopted,

And the bill re-committed to the committee on claims, with the above instructions.

Mr. English from the committee on claims, made the following report:

MR. PRESIDENT :

The committee on claims, to whom was referred the petition of sundry citizens of Carroll county, have directed me to report the same back to the Senate, and recommend that it be referred to a select committee, of the Senators from Carroll, Cass and Laporte, and the committee ask to be discharged from the further consideration thereof.

Which report was concurred in, and

The petition re-committed to a select committee, consisting of Messrs. Waters, Taber and Osborn.

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the House:

No. 20. An act for the relief of Isaac Hardy, and others.

No. 62. An act to amend an act entitled, "An act to incorporate the Kosciusko, Elkhart and Miami Rail Road Company."

No. 67. An act for the relief of Aaron Wheeler, of Laporte county.

No. 68. An act authorizing the election of an additional Justice of the Peace in Adams township, in Morgan county.

No. 84. An act for the relief of Christian Aigner.

No. 86. An act to locate a State Road from Fairfax, in Morgan county, to Finley's Mills, in Jackson county.

No. 92. An act to authorize the county Commissioners of Laporte county to borrow money, and for other purposes.

No. 98. An act to authorize Zebina Warriner of Decatur county to file a bill in chancery.

No. 100. An act for the relief of Matthew McPhetridge, of the county of Monroe.

No. 108. An act relative to the Board of Commissioners of the county of Boone.

No. 121. An act to authorize the Probate Court in Bartholomew county to sit two weeks at its February Term.

No. 122. An act extending the time of working roads and highways in the county of Clay.

No. 123. An act to change the name of the town of Fleenersburgh, in the county of Monroe, to that of Unionville, and for other purposes.

No. 144. An act to repeal an act therein named, so far as the same relates to Owen county.

No. 148. An act to provide for the selection of petit jurors in the county of Jackson.

Which I am directed to bring to the Senate for the signature of the President thereof.

And,

On motion by Mr. Miller,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

The President pro tem. laid before the Senate, a communication from the Auditor of State, in answer to a resolution of the Senate, requesting the Auditor of State to communicate to the Senate, whether the Trustees of the Wabash and Erie Canal have refunded to the Treasury, the amount advanced for the selection and appraisal of the lands granted to the State in the Vincennes Land

District, and the amount for the same, and location of the Wabash and Erie Canal;

Which was read, and

On motion by Mr. Miller,
Laid upon the table.

On motion by Mr. Beard,

The previous order of business was suspended, and on leave-granted, introduced the following bill:

No. 173. A Bill to amend an act entitled, an act to authorize county Auditors to sell lands at private sale, which have been bid in for the use of the school fund, approved January 28th, 1847;

which was read a first time, and,

On motion by Mr. Beard,

The rules were suspended, the bill read a second time, and referred to the committee on education.

Mr. Miller asked and obtained leave to introduce the following bill, entitled,

No. 174. A Bill to provide for the appointment of Overseers of the poor in Gibson county;

Which was read a first time, and,

On motion by Mr. Miller,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Miller,

The rules were further suspended, and the bill considered as engrossed, and read a third time and passed.

Mr. Day of St. Joseph asked and obtained leave to introduce the following bill, entitled,

No. 175. A bill to repeal an act therein named relating to St. Joseph county;

Which was read a first time ; and,

On motion by Mr. Day of St. Joseph,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Day of St. Joseph,

The rules were further suspended and the bill considered as engrossed and read a third time and passed.

Mr. Osborn asked and obtained leave to introduce the following bill :

No. 176. A bill to amend an act entitled, "an act to provide for the construction of a Railway in Laporte county ;

Which was read a first time ; and,

On motion by Mr. Osborn,

The rules were suspended the bill read a second time, and referred to a select committee consisting of,

Messrs. Osborn, Day of St. Joseph, Day of Kosciusko, Martin, and Marsh.

Mr. Millikin asked and obtained leave to introduce the following bill, entitled,

No. 177. A bill to legalize certain proceedings in the Dearborn Circuit Court ;

Which was read a first time ; and,

On motion by Mr. Millikin,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Millikin,

The rules were further suspended and the bill considered as engrossed, read a third time and passed.

Mr. Rosseau asked and obtained leave to introduce the following bill, entitled,

No. 178. A bill to reduce the expenses of the Circuit Court in the county of Green ;

Which was read a first time ; and,

On motion by Mr. Rosseau,

The rules were suspended, the bill read a second time ; when,

Mr. Adams moved to amend as follows :

Insert in the proper place the county of "Brown ;"

Which amendment was adopted ; and,

On further motion by Mr. Rousseau,

The rules were further suspended and the bill considered as engrossed, read a third time and passed.

Mr. Graham asked and obtained leave to introduce the following bill ;

No. 179. A bill relative to the practice in the Probate Courts ;

Which was read a first time ; and,

On motion by Mr. Graham,

The rules were suspended, the bill read a second time and referred to the committee on the judiciary.

Mr. Walpole asked and obtained leave to introduce the following bill, entitled,

No. 180. A bill to legalize the marriage of Thomas and Elizabeth Berry, late of Marion county ;

Which was read a first time ; and,

On motion by Mr. Walpole,

The rules were suspended, the bill read a second time and referred to the committee on the judiciary.

Mr. Huffstetter asked and obtained leave to introduce the following bill, entitled,

No. 181. A bill to change the mode of selecting Grand Jurors in the county of Orange ;

Which was read a first time ; and,

On motion by Mr. Huffstetter,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Huffstetter,

The rules were further suspended and the bill considered as engrossed, read a third time and passed.

Mr. Stewart asked and obtained leave to introduce the following bill, entitled,

No. 182. A bill to authorize payment for grading and gravelling Tennessee and Market streets, opposite the State's property ;

Which was read a first time ; and,

On motion by Mr. Stewart,
The rules were suspended and the bill read a second time, and referred to the committee on claims.

ORDERS OF THE DAY.

Bills on their Third Reading.

No. 44. A bill (of the House) authorizing the Recorders of Franklin and Switzerland counties to make out a general index ;

Which was read a third time, when

Mr. Ellis moved to amend the bill by inserting the word "Knox," after the word "Switzerland," wherever the same occurs.

Also, amend the title by inserting the word "Knox," after the word "Switzerland,"

Which amendments were adopted by unanimous consent of the Senate,

And the bill passed.

No. 133. A bill (of the House) to repeal an act entitled an act to extend the jurisdiction of Justices of the Peace in the counties of Lake and Porter, approved February 14, 1848 ;

Which was read a third time and passed.

No. 171. A bill to regulate the fees and emoluments of the Auditors and Treasurers of the counties of Lagrange and Steuben ;

Which was read a third time and passed.

BILLS ON THEIR SECOND READING.

No. 144. A bill to locate a State road in the counties of Jefferson and Ripley ;

Which was read a second time, and ordered to be engrossed for a third reading.

No. 154. A bill repealing section three of an act entitled an act to require the Bank to continue specie payments and to enable it to maintain them, approved February 13th, 1843 ;

Which was read a second time,

When Mr. Davis moved to indefinitely postpone the bill,

And the ayes and noes being demanded by two Senators, they were ordered.

Those whose votes were in the affirmative are,

Messrs. Adams, Buckles, Cassatt, Coates, Conduit, Davis, Dole, Ellis, English, Evans, Graham, Hamrick, Hardin, Harvey, Hendricks, Herod, Holloway, Houghton, Huffstetter, James, Malott, Miller, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Simpson, Sleeth, Taber, Walpole, and Walters—36.

Those who voted in the negative are,

Messrs. Beard, Day of Kosciusko, Day of St. Joseph, Garver, Green, Hubbard, Marsh, Millikin, and Stewart—9.

So the bill was indefinitely postponed.

No. 156. A bill for the better observance of the Sabbath ;

Which was read a second time,

When Mr. Orth moved to indefinitely postpone said bill,

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Cassatt, Coates, Conduit, Davis, Dole, Ellis, English, Evans, Garver, Graham, Green, Hamrick, Hardin, Harvey, Hendricks, Herod, Holloway, Houghton, Huffstetter, James, Marsh, Malott, Millikin, Miller, Morrison, Orth, Porter, Randall, Read, Sleeth, Taber, and Walpole—34.

Those who voted in the negative are,

Messrs. Beard, Day, of Kosciusko, Day, of St. Joseph, Hubbard, Martin, Montgomery, Osborn, Robinson, Rousseau, Simpson, Stewart, and Walpole—12.

So the said bill was indefinitely postponed.

No. 157. A bill to amend section 38, of chapter 19 of the Revised Statutes of 1843, and for other purposes, so far as relates to the county of Lawrence ;

Which was read a second time, and,

On motion by Mr. Malott,

The rules were suspended,

The bill considered as engrossed, read a third time, and passed.

No. 162. A bill to establish a seal for county recorders and for other purposes ;

Which was read a second time, and referred to the committee on the judiciary.

No. 163. A bill for the relief of Charlotte Slaughter of the county of Morgan ;

Which was read a second time,

When Mr. Robinson moved the following amendment,

Add the following section,

Sec. —. And be it further enacted that the marriage contract heretofore entered into between Zabina Warriner and Eliza Warriner his wife be and the same is hereby dissolved.

Which amendment was adopted.

Whereupon Mr. Martin moved to indefinitely postpone said bill, And the ayes and noes being demanded by two Senators they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Day of Kosciusko, Dole, Ellis, Evans, Garver, Green, Hamrick, Harvey, Henry, Herod, Hubbard, James, Malott, Martin, McCarty, Morrison, Orth, Osborn, Porter, Robinson, Stewart—26.

Those who voted in the negative are,

Messrs. Conduit, Davis, Day of St. Joseph, English, Hardin, Hendricks, Holloway, Houghton, Marsh, Millikin, Miller, Montgomery, Randall, Rousseau, Simpson, Sleeth, Taber Walpole, and Waters—19.

So the bill was indefinitely postponed.

No. 165. An act to repeal the three hundred and thirty-sixth section of the twelfth article of chapter forty of the Revised Statutes of 1843 ;

Which was read a second time and

On motion by Mr. Robinson,

Referred to the committee on the judiciary.

No. 167. A bill to amend sec. 427, chapter 30, Revised Statutes of 1843 ;

Which was read a second time, and

Referred to the committee on the judiciary.

No. 169. A bill to amend the 30th chapter of article 8 of the Revised Statutes of 1843 ;

Which was read a second time, and

Referred to the committee on the judiciary.

On motion by Mr. Waters,

The previous order of business was suspended, and on leave granted made the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred the petition of Abraham Norris and others of Clinton county in relation to the reappraisement of certain school lands in said county have had the same under consideration and have instructed me to report the following bill and recommend its passage ;

And bill

No. 183. A bill authorizing the reappraisement of certain School lands in Clinton county ;

Which was read a first time ; and,

On motion by Mr. Waters,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Waters,

The rules were further suspended, and the bill considered as engrossed, and read a third time and passed.

On motion by Mr. Davis,

Leave of absence was granted to Mr. Osborn, during the remainder of this session.

Mr. Cassatt asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred joint resolution of the House No. 107, have had the same under consideration, and instructed me to report the same back without amendment, and recommend its passage ;

No. 107. A preamble and joint resolution relative to the reduction of the price of public land in the Great Miami National Reserve ;
Was read a third time and passed.

Mr. Orth asked and obtained leave to make the following report from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to which was referred Senate bill No. 158, entitled "a bill concerning the Lafayette and Indianapolis Railroad company," have had the same under consideration, and instructed me to report the same to the Senate and recommend its passage.

And,

On motion by Mr. Orth,

The rules were suspended, the bill considered as engrossed, read a third time, and passed.

The following message was received from the Governor, by Mr. Carr, his private Secretary :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has this day approved and signed the following bills, viz :

No. 7. An act to transfer certain cases now pending in the Harrison Circuit Court, to the Probate Court of said county of Harrison.

No. 12. An act to fix the time of holding courts in the First Judicial Circuit, and the Probate court of Tippecanoe county.

No. 22. An act to incorporate a company to construct a railroad from Evansville on the Ohio river to connect with the Ohio and Mississippi Railroad, at or near Olney in the State of Illinois, via Princeton, Gibson county, Indiana, and Mt. Carmel, Illinois.

No. 40. An act incorporating the Dayton and Frankfort Plank Road company.
All of which originated in the Senate.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled act of the House :

No. 241. An act to provide for the publication of ordinances in the town of Terre Haute, in certain cases ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Hamrick, from the committee on enrolled bills, made the following report :

MR. PRESIDENT :

The committee on enrolled bills have examined and compared enrolled bills of the Senate No. 85, 53, 72, 56, 45, 75, 4, 57, 73, and 78, with engrossed thereof, and find them correctly enrolled.

Also Mr. Hamrick made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have this day presented to the Governor for his approval and signature bills of the Senate Nos. 69 and 11.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof :
No. 20. An act to amend an act entitled "an act to incorporate the Terre Haute and Richmond Railroad company," approved January 26, 1847, and an act amendatory thereto, approved February 16, 1848,

In which the concurrence of the Senate is respectfully requested.

And the bill contained in the message
Was read a first time ; and,

On motion by Mr. Hamrick,
The rules were suspended, and,
The bill referred to a select committee, consisting of
Messrs. Hamrick, Henry, Harvey and Stewart.

Also,
The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House insist upon the engrossed amendment No. 2, of the House, to engrossed bill of the Senate,

No. 42. An act defining the duties of county Treasurers, in the several counties therein named.

And,

On motion by Mr. Walpole,

The Senate adhered to their disagreement to the engrossed amendment of the House No. 2, to the said engrossed bill of the Senate.

On motion by Mr. Ellis,

The Senate resumed the consideration of bill of the Senate, entitled,

No. 127. A Bill to incorporate the Great Western Insurance Company, in Marion county, State of Indiana ;

The question being upon concurring in the amendment proposed by a majority of the select committee,

When,

Mr. Orborn moved the following amendment to the amendment :
Strike out the word "capital" in the third section, and insert in lieu thereof the words "premiums received for policies issued,"

Which amendment was adopted.

When Mr. Stewart moved the following amendment to the amendment,

Add the following sections :

SEC. —. The secretary of said Company, under the direction of the President and Directors of said Company, shall make out a report of the affairs of the Company, showing the amount of stock subscribed—the amount of money paid into the treasury of the Company—its kind and current cash value—the amount of money loaned—the amount of property insured—the amount received by the Company from insurance or other sources—the amount of real and personal property of all kinds owned by the Company ; which report shall be verified by the oaths of the President and Secretary of the Company, which report shall be made annually, and filed in the office of the Secretary of State, on the first day of January in

each year; and published in some newspaper of general circulation, published at the city of Indianapolis. If said Company fail to forward and file in the Secretary of State's office, the statement aforesaid, at the time required, and publish the same as aforesaid, said Company shall forfeit and pay to the State of Indiana, the sum of one thousand dollars, to be recovered in any court having jurisdiction by action of debt, in the name of the State of Indiana, which action the Secretary of State is hereby required to institute and prosecute;

The question being upon the adoption of the amendment to the amendment,

When Mr. Orth moved to lay the same upon the table,

And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cassatt, Conduit, Davis, Day of Kosciusko, Dole, Ellis, Evans, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Montgomery, Orth, Randall, Read Simpson, and Walpole—23.

Those who voted in the negative are,

Messrs. Day of St. Joseph, English, Garver, Green, Hardin, Henry, Huffstetter, James, Marsh, Malott, McCarty, Martin, Milikin, Miller, Morrison, Osborn, Porter, Robinson, Rousseau, Stewart, Taber, and Waters—22.

So the amendment to the amendment was laid upon the table,

The question again recurring upon the adoption of the amendment proposed by the committee,

Mr. Stewart moved further to amend the amendment by adding the following section:

Sec. —. The Legislature reserves the right to alter, amend or repeal this act of Incorporation at any time, a majority of each branch of the General Assembly concurring.

Which was adopted,

The question again recurring upon the adoption of the amendment as amended,

When Mr. Walpole moved to amend the amendment by adding the following in the proper place.

"But the repeal of this act shall not divest the stockholders of their stock in said Company, nor prevent the said Company from enforcing contracts made before said act is amended, altered, or repealed."

Which amendment was adopted,

The question again recurring upon the adoption of the amendment as amended,

When,

Mr. Adams moved to reconsider the vote upon laying the amendment of Mr. Stewart upon the table,

And the vote was reconsidered,

The question then recurring upon the adoption of said amendment,

And it was adopted,

The question again recurring upon the adoption of the amendment,

When,

Mr. Ellis moved the following amendment to the amendment,

Add the following in the proper place,

Which securities and stocks shall not be transferred without the assent of said Treasurer and Auditor aforesaid,

The question then being upon the adoption of the amendment to the amendment,

And before the same was taken,

On motion by Mr. Walpole,

The previous order of business was suspended, and leave granted him, to introduce the following resolution:

Resolved, That the committee on canals and internal improvements be authorized to cause to appear before said committee the Superintendent of the Central Canal to answer interrogatories, under oath, in relation to the claims of certain laborers for work done on said Canal, for the State;

Which was adopted.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled acts of the Senate:

No. 4. An act to incorporate the Richmond and Newport Turnpike Company;

No. 45. An act authorizing David Moss to sell certain stone in Hamilton county;

No. 53. An act to incorporate the Fair Play Fire Engine and Hose Company of the city of Madison;

No. 56. An act to change the name of Emiline Grubb;

No. 57. An act legalizing the sale of the school section, township 20, North of range 10 East, in Delaware county;

No. 72. An act to amend an act entitled "an act to incorporate the Crawfordville and Wabash Rail Road Company," approved 19th January, 1846;

No. 73. An act relative to the sale of school lands in certain counties therein named, and to amend article 13, chapter 13, of the Revised Statutes of 1843;

No. 75. An act to incorporate the General Association of Baptists in Indiana;

No. 78. An act for the relief of William Armstrong;

No. 85. An act for the relief of Lavina Whisler.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate to engrossed bill of the House,

No. 75. An act to repeal so much of section 54, chapter 12, of the Revised Statutes of 1843, as requires the County Treasurers to attend at the places of holding elections in each township, for the purpose of collecting taxes, so far as relates to the counties of Allen, Henry, Jefferson and White;

Also,

The following message from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the resolution of the Senate, providing for the adjournment, *sine die*, of both Houses of the General Assembly on Tuesday, the 16th instant;

On motion by Mr. Osborn,
The Senate adjourned.

FRIDAY MORNING, JANUARY 5, 1849.

The Senate met.

On motion by Mr. Martin,

The reading of the journal of the previous day was dispensed with.

PETITIONS PRESENTED.

By Mr. Martin,

The petition of sundry citizens of Steuben and Lagrange, asking for the incorporation of a Company to be called "The North Eastern Indiana Plank Road Company."

Which was referred to a select committee, consisting of Messrs. Martin, Marsh, and Randall.

By Mr. Cassatt,

The petition of 150 citizens of Wabash county on the subject of retailing spirituous liquors;

Which was referred to a select committee, consisting of Messrs. Cassatt, Robinson, and Rousseau.

By Mr. McCarty,

The petition of sundry citizens of Springfield township, in Franklin county, praying the passage of an act therein contained in relation to free schools;

Which was referred to the committee on education.

REPORTS FROM STANDING COMMITTEES.

By Mr. Osborn, from the committee on the judiciary, the following report:

MR. PRESIDENT:

The committee on the judiciary, to which was referred Senate bill, No. 101, have had the same under consideration, and have instructed me to report it back and recommend its passage, and ask to be discharged from the further consideration thereof:

And,

On motion,

The rules were suspended, and the bill entitled,

No. 101. A bill to authorize the President of the Sinking Fund Commissioners to execute patents and deeds in certain cases;

Was considered as engrossed, read a third time, and passed.

By Mr. Buckles, the following report from the committee on the judiciary:

MR. PRESIDENT:

The judiciary committee, to whom was referred bill, No. 102, to amend the law relative to actions on official bonds of certain officers therein named, have had the same under consideration, and directed me to report it back, and recommend that further legislation upon the subject is inexpedient;

Which report was concurred in,

And the bill indefinitely postponed.

By Mr. Harvey, from the committee on the judiciary, the following report:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred bill of the

House, No. 103, entitled, "An act to amend article 2 of chapter 35 of the Revised Statutes of 1843," have considered the same, and instructed me to report said bill back to the Senate with one amendment, and when so amended, recommend its passage.

Amendment referred to—

Strike out the bill from the enacting clause, and insert the following:

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That divorces dissolving the marriage contract may be decreed by the several circuit courts sitting in chancery for any of the causes mentioned in the fortieth section of chapter thirty-five of the Revised Statutes of 1843, whenever the party suing for such divorce has resided in the State for the term of one year immediately preceding the filing of his or her bill of complaint.

Sec. 2. The abandonment of one party by the other for the space of one whole year next preceding the filing of such bill shall be a sufficient cause for a decree of divorce upon the application of the injured party.

Sec. 3. So much of the statute now in force as conflicts with the provisions of this act be, and the same are hereby, repealed.

Sec. 4. This act to be in force from and after its passage.

Which amendment was adopted; and,

On motion by Mr. Harvey,

The rules were suspended, and the bill read a third time and passed.

When Mr. Harvey moved the following amendment to the title,

Strike out the title and insert as follows:

"A bill to amend the statute regulating the granting of divorces."

Which was adopted.

On motion by Mr. Davis,

The previous order of business was suspended, and on leave granted, introduced the following bill:

No. 184. A bill to amend an act, entitled "An act for the relief of Victor A. Pepin, of Floyd county," approved December 30, 1846;

Which was read a first time, and

On motion by Mr. Davis,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Davis,

The rules were further suspended, and the bill considered as engrossed, and read a third time and passed.

Mr. Davis asked and obtained leave to introduce the following bill:

No. 185. A bill for the relief of Rachael Loyd, of Floyd county;

Which was read a first time, and,

On motion by Mr. Davis,

The rules were suspended,

The bill read a second time, and,

On further motion by Mr. Davis,

The rules were further suspended, and the bill considered as engrossed, and,

Read a third time and passed.

Mr. Holloway asked and obtained leave to introduce the following bill:

No. 186. A bill supplementary to an act entitled an act to incorporate the Grand and Subordinate Divisions of the order of the Sons of Temperance;

Which was read a first time, and,

On motion by Mr. Holloway,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

Mr. McCarty asked and obtained leave to introduce the following bill:

No. 187. A bill to record the survey of a State road in Ripley county;

Which was read a first time, and,

On motion by Mr. McCarty,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. McCarty,

The rules were further suspended, the bill considered as engrossed, and,

Read a third time and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 197. An act to amend an act entitled "An act to authorize the election of a justice of the peace and a constable in the town of New Trenton, in the county of Franklin;

No. 102. An act to regulate the times of holding courts in the fifth judicial circuit;

No. 204. An act to amend act extending the jurisdiction of justices of the peace in certain criminal cases, approved February 16, 1848;

No. 233. An act levying a tax on the inhabitants of the town of Marion, and the additions thereto, and upon persons owning real estate therein;

In which the concurrence of the Senate is respectfully requested.

And bill in said message contained, entitled,

No. 197. A bill to amend an act entitled "An act to authorize the election of a justice of the peace and a constable in the town of New Trenton, in the county of Franklin;

Was read a first time; and,

On motion by Mr. McCarty,

The rules were suspended and the bill read a second time, and,

On further motion by Mr. McCarty,

The rules were further suspended, and bill read a third time, and passed.

And bill in said message contained, entitled,

No. 102. A bill to regulate the times of holding courts in fifth judicial circuit;

Which was read a first time, and,

On motion by Mr. Hardin,

The rules were suspended and the bill read a second time; when, Mr. Stewart moved to amend as follows:

Strike out "six" in the first section and insert "four" in lieu thereof;

Which amendment was adopted.

And on further motion by Mr. Hardin,

The rules were further suspended, and the amendment considered as engrossed.

The bill read a third time and passed.

And bill in said message contained, entitled,

No. 204. A bill to amend an act extending the jurisdiction of justices of the peace in certain criminal cases, approved February 16th, 1848;

Was read a first time, and passed to a second reading,

And bill in said message contained, entitled,

No. 233. A bill levying a tax on the inhabitants of the town of Marion, and the additions thereto, and upon persons owning real estate therein;

Which was read a first time, and,

On motion by Mr. Buckles,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Buckles,

The rules were further suspended, and,

The bill read a third time, and passed.

The following message was received from the House of Representatives by Mr. Dodd their Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 240. An act authorizing the auditor of Clinton county to make a deed in a certain case;

In which the concurrence of the Senate is respectfully requested.

And bill in said message contained entitled,

No. 240. A bill authorizing the auditor of Clinton county to make a deed in a certain case;

Was read a first time, and,

On motion by Mr. Waters,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Waters,

The rules were further suspended, and the bill read a third time, and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 50. An act relative to suits against sureties of State and county officers.

In which the concurrence of the Senate is respectfully requested.

And bill in said message contained, entitled,

No. 50. A bill relative to suits against sureties of State and County officers;

Was read a first time, and,

On motion by Mr. Holloway,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

The following message was received from the House of Representatives by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 26. An act to authorize the Judge of the Probate court of St. Joseph county to grant and try writs of Habeas Corpus, and for other purposes;

No. 82. An act to incorporate the town of Lamasco city and define the powers of the President and Trustees thereof;

No. 113. An act in relation to the real and personal estate of John Fischli, late of Jackson county, deceased.

No. 127. An act to repeal an act entitled, "an act providing the opening and repairing public roads and highways in the county of Monroe," approved February 3, 1841, and for other purposes;

No. 129. An act to amend an act entitled "an act to amend article 5, of chapter 45 of the Revised Code of 1843," approved February 16, 1848.

No. 131. An act to amend the practice in chancery;

No. 179. An act to amend the plot of Cambridge City;

In which the concurrence of the Senate is respectfully requested.

And bill in said message contained, entitled,
No. 26. A bill to authorize the Judge of the Probate Court of St. Joseph county to grant and try writs of Habeas Corpus, and for other purposes;

Was read a first time, and,

On motion by Mr. Day of St. Joseph,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Day of St. Joseph,

The rules were further suspended, the bill read a third time, and passed.

And bill in said message contained, entitled,

No. 82. A bill to incorporate the town of Lamasco city and define the powers of the President thereof;

Was read a first time, and,

On motion by Mr. James,

The rules were suspended, the bill read a second time, and, Referred to a select committee consisting of Messrs. James, Ellis, and Miller.

And bill in said message contained, entitled,

No. 113. A bill in relation to the real and personal estate of John Fischli, late of Jackson county, deceased;

Was read a first time, and,

On motion by Mr. English,

The rules were suspended, the bill read a second time, when, Mr. English moved the following amendment to the bill, Strike out the words "John Fischli" whenever it occurs, and insert in lieu thereof the words "John R. Fischli."

Which amendment was adopted.

And the bill was referred to the committee on the judiciary.

And bill contained in the message aforesaid, entitled,

No. 127. A bill to repeal and act entitled, "an act providing for the opening and repairing public roads and highways in the county of Monroe," approved February 3d, 1841, and for other purposes;

Was read a first time, and passed to a second reading.

And bill contained in said message, entitled,

No. 129. A bill to amend an act entitled, "an act to amend article 5 of chapter 45 of the Revised Code of 1843," approved February 16th, 1848;

Was read a first time and passed to a second reading.

And bill contained in said message, entitled,

No. 131. A bill to amend the practice in Chancery;

Was read a first time; and,

On motion,

The rules were suspended and the bill read a second time, and referred to the committee on the judiciary.

And bill contained in said message, entitled,

No. 179. A bill to amend the plat of Cambridge City;

Was read a first time; and,

On motion by Mr. Holloway,

The rules were suspended, the bill read a second time and passed to a third reading.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill of the Senate:

No. 81. An act to incorporate the Madison Marine Insurance Company;

Without amendment.

Also the following message was received from the House of Representatives, by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the House:

No. 45. An act to amend an act entitled, "an act to incorporate the Knightstown and Shelbyville Railroad Company," approved January 19, 1846.

No. 75. An act to repeal so much of section 54, chapter 12, of the Revised Statutes of 1843, as requires the county treasurer to attend at the places of holding elections in each township for the purpose of collecting taxes, so far as relates to the several counties therein named.

No. 79. An act for the relief of certain land owners within the corporate limits of the city of Rising Sun, in Ohio county.

No. 88. An act to facilitate the discharge of mortgages given to the State of Indiana, for the payment of Bank Stock.

No. 94. An act to authorize the erection of a new Seminary in Henry county.

No. 105. An act for the relief of Magdalena Pfalzgraf.

No. 112. An act to amend an act entitled, "an act to regulate the mode of doing township business in the county of Elkhart," approved January 14, 1845.

No. 116. An act to change the mode of doing county business in the county of Warrick, from Justices of the Peace to County Commissioners.

No. 118. An act in relation to the duties of Auditor and Agent of State.

No. 119. An act to legalize the election of a Prosecuting Attorney in the county of Daviess.

No. 149. An act relative to the commissioners of the western division of the Buffalo and Mississippi Railroad Company;

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Henry asked and obtained leave to make the following report from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary to whom was referred bill of the Senate No. 94, entitled, "an act to amend an act to incorporate the White Water Canal Company, approved 20th January, 1842, and for other purposes," with certain instructions of inquiry, have had the same under consideration and a majority of said committee have instructed me to make the following report ; that owing to the short time allowed said committee, they have not been able to agree upon a report upon the points contained in the said inquiries, and they have also instructed me to report said bill back for the action of the Senate.

When Mr. Hamrick moved the following amendment to the bill :

Add the following section :—

Sec. The State of Indiana hereby releases to the White Water Canal Company all the right to redeem said canal ; the State however reserves the profit over eight per centum over the cost of construction and repairs made by the company ; the said canal company, in consideration of such relinquishment, shall, on or before the first day of October, 1849, make necessary repairs to the Harrison feeder dam on said canal, and restore navigation on said canal to Lawrenceburg, and supply the lessees of water power guaranteed by the State ; and keep said canal in navigable condition from Cambridge city to Lawrenceburg. If said company should fail to make and complete the repairs by the time aforesaid, and afterwards keep the canal in navigable condition from Cambridge city to Lawrenceburg, then this section is to become void.

The question being upon the adoption of the amendment,
And before the question was taken,
The Senate adjourned.

2 o'clock, P. M.

The Senate met.

ORDERS OF THE DAY.

Bills on their third reading.

No. 116. A bill to incorporate the Winchester and Fort Wayne Railroad company ;

Which was read a third time and passed.

No. 144. A bill to locate a State road in Jefferson and Ripley counties ;

Which was read a third time and passed.

Bills on their second reading.

No. 172. A bill allowing county Treasurers mileage for the collection of delinquent taxes ;

Which was read a second time ; when

Mr. Conduit moved to indefinitely postpone said bill,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Coats, Conduit, Day of St. Joseph, Dole, English, Evans, Garver, Graham, Green, Hamrick, Harvey, Herod, Houghton, Huffstetter, Martin, Miller, Montgomery, Robinson, Sleeth, Stewart, Taber, and Waters—25.

Those who voted in the negative are,

Messrs. Adams, Day of Kosciusko, Ellis, Hardin, Hendricks, Holloway, James, Marsh, Malott, Millikin, Morrison, Orth, Osborn, Porter, Read, Rousseau, and Simpson—18.

So the said bill was indefinitely postponed.

The Senate then resumed the consideration of bill of the Senate,

No. 94. A bill to amend an act entitled "an act to incorporate the White Water Canal Company," approved January 20th, 1842, and for other purposes ;

The question being upon the adoption of the amendment proposed by Mr. Walpole ; when

Mr. Walpole modified his amendment by adding the following proviso :

Provided, That said White Water Valley Canal Company shall not reduce the tariff of tolls below that charged upon similar works, the effect of which would be to prevent the said company from declaring dividends exceeding eight per cent.

And the question being upon the adoption of the amendment as modified, and

The ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Dole, Ellis, Evans, Garver, Ham-

rick, Harvey, Herod, Holloway, Houghton, Hubbard, Martin, Millikin, Orth, Osborn, Simpson, Taber, Walpole, and Waters—21.

Those who voted in the negative are,

Messrs. Adams, Coats, Conduit, Day of Kosciusko, Day of St. Joseph, English, Green, Hardin, Hendricks, Huffstetter, James, Marsh, Malott, Miller, Montgomery, Morrison, Porter, Read, Robinson, and Stewart—20.

So the amendment was adopted.

The question then being upon ordering the bill to be engrossed for a third reading,

On motion by Mr. Walpole,

The bill was recommitted to a select committee, consisting of Messrs. Walpole, Millikin and Holloway.

Mr. Milligan asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition on the subject of establishing the salary of Auditor and Treasurer of Jay county, have had the same under consideration, and directed me to report the following bill and respectfully recommend its passage.

No. 188. A bill establishing the salaries of the Auditor and Treasurer of Jay county, and the Recorder of Stuben county ;

Was read a first time, and,

On motion by Mr. Milligan,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Milligan,

The rules were further suspended, and the bill considered as engrossed.

Read a third time and passed.

Mr. Hubbard asked and obtained leave to make the following report from the judiciary committee :

MR. PRESIDENT :

The judiciary committee to which was referred bill of the Senate No. 124, entitled "A bill to repeal a part of the third article of the 31st chapter of the Revised Statutes of 1843, has had the same under consideration, and directed me to report the same back without amendment, and recommend its passage.

The bill being open to amendment,

Mr. Stewart moved the following amendment to the bill :

Strike out all of the second section from and after the word "charged" in the ninth line.

The question being upon the adoption of the amendment,
When Mr. Hardin moved to indefinitely postpone the bill and pending amendments,

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Day of Kosciusko, Day, of St. Joseph, Dole, English, Garver, Graham, Green, Hamrick, Hardin, Harvey, Herod, Houghton, Huffstetter, Marsh, McCarty, Millikin, Miller, Montgomery, Morrison, Robinson, Stewart and Waters—27.

Those who voted in the negative are,

Messrs. Conduit, Davis, Ellis, Evans, Hendricks, Holloway, Hubbard, James, Malott, Orth, Osborn, Porter, Randall, Read, Rousseau, Simpson, Sleeth, Taber and Walpole—19.

So said bill was indefinitely postponed.

Mr. Morrison, from the committee on finance, asked and obtained leave to make the following report :

MR. PRESIDENT :

The committee on finance to whom was referred a resolution of the Senate instructing them to inquire into the expediency of substituting for our present system of assessment the system now in force in the State of Ohio, have had the subject under consideration, and have directed me to report, that they have examined as far as their time permitted, the systems of assessment referred to, and having become fully satisfied of its superiority over the system now in force in this State, were about to prepare a bill in accordance with the resolution, when they learned that their action had been anticipated by the House of Representatives, the committee ask, therefore, to be discharged from the further consideration of the subject ;

Which report was concurred in.

And the committee discharged.

Mr. Houghton asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill of the Senate No. 170, to amend an act in relation to the New Albany and Vincennes Road, have had the same under consideration, and have

made one amendment thereto, which is to strike out said bill from the enacting clause, and insert the following herewith reported, and upon the adoption of said amendment, the committee recommend the passage of said bill.

Amendment referred to in the above report:

An act to amend an act in relation to the New Albany and Vincennes Road;

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Superintendent upon said road shall annually hereafter expend the sum of three thousand dollars in keeping up, and repairing said road, and no more.

SEC. 2. That the sum of five hundred dollars arising from the tolls upon said road, is hereby appropriated for the year 1850, for the purpose of erecting two bridges at what is called the second and third crossings of Lost River. The citizens of Orange county, or of any other county in the State of Indiana, shall have the right to subscribe for the building of said bridges as hereafter provided, and also the further sum of two hundred dollars shall be appropriated for the year 1849, West of Paoli, and expended by the Superintendent in repairing said road, and keeping free ferries where they are now kept on said road.

SEC. 3. And the tolls upon said road shall remain the same as provided in the act to which this is an amendment, except that two horse wagons from the 1st of May to the 1st of November, shall pay fifteen cents toll for every ten miles travelled, and except persons going to and from, meeting on Sunday, and persons going to and from elections, and funerals, shall pass over said road toll free.

SEC. 4. The residue of said tolls upon said road shall be applied by said Superintendent in paying the indebtedness of said road created by the certificates issued by R. A. Clements, Esq., former Superintendent; *Provided*, nothing in this act shall in any way affect the priority of payment now provided by law for a certain note and interest in the New Albany Branch Bank, signed or endorsed by Henry Turner and others as the payments on said note become due. *And provided further*, that all payments to certificate holders shall be in the redemption of said certificates; *And provided also*, that said payments to the holders of certificates be made annually on the first Monday in May, in each year, at the town of Paoli, in the county of Orange; *And provided further*, that all persons holding certificates shall on or before the first day of April, in each year, notify the Superintendent of the amount and date of said certificates so intended to be presented for payment, on the day aforesaid, and that in making payments to the certificate holders, the said Superintendent shall pay each person, body politic or corporate, an equal and just proportion according to the amount presented on or before the said first day of April, in each year.

SEC. 5. That the persons liable to work roads in the counties of Orange and Martin shall be compelled to work upon said road, as

upon other roads in the several road districts through which said road runs; and the law which requires hands to work on Lost River, in Orange county, is hereby repealed, and the hands heretofore bound by law to work on said river, who reside within said road districts, shall perform labor upon the New Albany and Vincennes road, as other hands in said districts.

SEC. 6. That the citizens of Orange and Martin counties, and the citizens of any other county in the State of Indiana, shall have the right and privilege of erecting the bridges mentioned in the second section of this act, by subscription or otherwise, and the same when erected shall be toll bridges until those subscribing are fully paid the amount of their subscriptions, and ten per cent., interest per annum thereon, either from the tolls of the bridges or the tolls of the road East of Paoli, as provided in the second section of this act. And for the purpose of raising funds by subscription for the erection of said bridges and superintending the erection thereof, the said Superintendent, together with Thomas J. Brooks, Aaron Houghton, Martin D. Crim, and John R. Davis, of the county of Martin, and James P. Campbell, James Robinson, Arthur J. Simpson, and John Baker, of the county of Orange, are hereby appointed Commissioners, whose duty it shall be to solicit subscriptions, superintend the erection of said bridges, specify the items of toll, provided said tolls shall not exceed fifteen cents for a four horse wagon at each bridge, all other vehicles, travellers and passengers in proportion, and to employ persons to collect the tolls, and to do and perform every other duty necessary to carry into effect this act, and as soon as the tolls upon said bridges shall repay the construction and repairs, and other expenses of said bridges, they shall be toll free.

SEC. 7. That the keeper of gate number one, near New Albany, and the keeper of gate number two, near Greenville, on the New Albany and Vincennes road shall each receive, in addition to the amount they now receive, the sum of fifty dollars per annum for their services, to be paid in the same manner as provided by law for their payment at this time.

SEC. 8. This act to take effect and be in force from and after its passage, and it is hereby made the duty of the Secretary of State to forward a certified copy of this act to the Clerk of the Orange Circuit Court, for the use of the Superintendent of said road.

Which amendment was adopted; and,

On motion by Mr. Houghton,

The rules were suspended, and the bill read a third time and passed.

Mr. Cassatt asked and obtained leave to introduce the following bill:

No. 189. A bill relative to Canal Land Scrip;

Which was read a first time, and,

On motion by Mr. Cassatt,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

Mr. Adams asked and obtained leave to introduce the following bill:

No. 190. A bill extending the time of holding Probate Courts in the county of Monroe;

Which was read a first time, and,

On motion by Mr. Adams,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Adams,

The rules were further suspended, and

The bill read a third time and passed.

Mr. Hendricks asked and obtained leave, to introduce the following bill:

No. 191. A Bill to incorporate the Madison Iron Manufacturing Company,

Which was read a first time, and,

On motion by Mr. Hendricks,

The rules were suspended, the bill read a second time and, referred to the committee on corporations.

Mr. Conduit asked and obtained leave, to introduce the following bill:

No. 192. A Bill to amend an act entitled, an act to incorporate the Mooresville Branch Rail Road Company;

Which was read a first time, and,

On motion by Mr. Conduit,

The rules were suspended, the bill read a second time; and,

On further motion by Mr. Conduit,

The rules were further suspended, the bill read a third time and passed.

Mr. Holloway asked and obtained leave, to make the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred, the petition of the Mayor and Common Council of the city of Richmond, asking an amendment to the charter of the city of Richmond, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 193. A Bill to amend an act entitled, an act to incorporate the city of Richmond;

Was read a first time; and,

On motion by Mr. Holloway,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Holloway,

The rules were further suspended, the bill read a third time, and passed.

Mr. Hardin asked and obtained leave, to introduce the following resolution:

Resolved, That the committee on Finance be instructed to enquire whether the necessity for the law, requiring county Treasurers to keep a list of the various kinds of funds received for taxes, any longer exists, and whether such law may not be safely dispensed with—with leave to report by bill, or otherwise;

Which resolution was adopted.

Mr. Ellis asked and obtained leave, to make the following report from a select committee:

MR. PRESIDENT:

The select committee to which had been referred, House Bill No. 82, entitled, "an act to incorporate the town of Lamasco City, and define the powers of the President and Trustees thereof, have instructed me to report the same back to the Senate, with the following amendment, and upon its adoption, recommend its passage.

Strike out the 18th section and insert in lieu thereof, the following:

SEC. 18. This act shall not take effect or become a law, until it shall have received the sanction of a majority of the legal voters holding in fee simple real estate, within the limits of said city of Lamasco, in the following manner: Any two Justices of the Peace residing in the township in which said city is situated, may cause an election to be held at the said school house on Leet street, first having given three weeks notice in the newspapers published in the city of Evansville, of the time and place of holding said election, which shall be conducted in the same manner as general elections; the voters shall write on their ballots "adopt" or "reject," and if a majority of the votes taken, are equal to a majority of the votes within the said city of Lamasco, and are in favor of the adoption of this act, the judges and clerks of said election shall make out two certificates, one of which shall be filed and recorded in the office of the Recorder of Vanderburgh county, and the other kept and recorded by the said President and Trustees.

Whereupon, this act shall take effect and become a law, and public notice thereof shall be given by said Justices of the Peace, in the newspapers aforesaid. But if at said election a majority of voters, as aforesaid, are not in favor of adoption, then, and in that case, it shall be null and void, and not take effect or become a law.

Which amendment was adopted, and the report concurred in, and On motion by Mr. Ellis,

The rules were suspended, the amendments considered as engrossed, and the bill read a third time, and passed.

Mr. Millikin asked and obtained leave, to make the following report from the committee on corporations:

MR. PRESIDENT :

The committee on corporations to whom was referred, bill of the Senate No. 166, have had the same under consideration, and directed me to report it back to the Senate, without amendment, and recommend its passage.

And,

On motion by Mr. Hendricks,
The rules were suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Waters made the following report from a select committee:

MR. PRESIDENT :

The select committee to which was referred the petition of certain persons for the relief of Enoch Rinehart of Carroll county, have had the same under consideration and instructed me to report the following bill and recommend its passage, and ask to be discharged from the further consideration thereof:

No. 194. A bill for the relief of Enoch Rinehart of Carroll county;
Was read a first time, and

On motion by Mr. Waters,

The rules were suspended, and the bill read a second time, when Mr. Buckles moved the following amendment to the bill

And that the sum of one hundred dollars be allowed Horain E. Bowen, Sheriff of Delaware county, for pursuing and arresting two horse thieves in the north eastern part of the State of Indiana.

The question being upon the adoption of the amendment,

Mr. Waters moved to lay the amendment upon the table.

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Coates, Conduit, Davis, Day of St. Joseph, Dole, Ellis, English, Evans, Graham, Green, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Martin, McCarty, Miller, Montgomery, Morrison, Orth, Osborn, Porter, Robinson, Rousseau, Simpson, Stewart, Taber, and Waters—34.

Those who voted in the negative are,

Messrs. Adams, Buckles, Cassatt, Day of Kosciusko, Garver, Hardin, Marsh, Randall, Read, Sleeth, and Walpole—11.

So the amendment was laid upon the table.

And on motion by Mr. Waters,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Stewart asked and obtained leave to introduce the following bill:

No. 195. A bill for the relief of the estate of Noah Noble, deceased;

Which was read a first time, and

On motion by Mr. Stewart,

The rules were suspended, the bill read a second time, and referred to the committee on canals and internal improvements.

Mr. Walpole asked and obtained leave to make the following report from the committee on canals and internal improvements:

MR. PRESIDENT :

The committee on canals, &c., to whom was referred the communication and proceedings of a public meeting of the citizens of Warren county, also bill of the Senate No. 79, entitled a bill to provide for the enforcement of the State Debt act and the act supplemental thereto, said committee instruct me to report said bill to the Senate, and recommend that all of said bill and preamble be struck out, and the accompanying joint-resolution be inserted in lieu thereof;

Amendment referred to in the above report,

Strike out the bill and preamble and insert the following joint resolution and preamble:

A joint resolution in relation to the contract between the State and her Bondholders.

Whereas, by the act approved January 19, 1846, entitled an act to provide for the funded debt of the State of Indiana and for the completion of the Wabash and Erie Canal to Evansville, it was among other things provided that the Trustees created by the said act should do all the acts needful and proper in and about the sale of said canal lands, and the completion of said canal to Evansville, and particularly the side cuts and locks to the Wabash river on sections one hundred and thirty-six, or one hundred and thirty-seven between Coal creek and Terre Haute, and on section thirty-three or thirty-four and forty-six, as heretofore surveyed, between Coal creek and Lafayette heretofore contemplated; and whereas, by the act supplementary thereto, approved January 27, 1847, it was provided that "where said canal has already been so constructed beyond any point where such feeders or side cuts are located and intended to be constructed as specified in the act to which this is a supplement, it shall be the duty of the said Trustees to construct and complete all such feeders and side cuts within eighteen months from and after the acceptance of this act by our bondholders," and whereas by the terms of the said act, the time fixed for the construction and completion of the side cuts opposite the towns of Williamsport and Independence, in the county of Warren being upon sections thirty-three or thirty-four and forty-six, specified in said act,

has now expired, and whereas no steps whatever have been taken by the said Trustees for the construction and completion thereof, but on the contrary the said Trustees in their annual report, have alleged excuses for the neglect of the said duty; and whereas the Judicial Tribunals are the proper places where the said excuses for the breach of the said contract shall be investigated and determined,

Be it therefore Resolved, By the General Assembly of the State of Indiana, That the Governor be and he is hereby authorised and required to commence a suit in the Montgomery Circuit Court, on the Chancery or law side thereof, on behalf of the State of Indiana against the Trustees of the Wabash and Erie canal for a specific performance of the said contract in the construction of the side cuts opposite the towns of Williamsport and Independence as provided for in the said acts, or for a breach of the said contract and to prosecute the same to a final decree thereon.

SEC. 2. It shall be the duty of the Governor to appoint one or more competent counsel to institute and prosecute to a final judgment or decree of the said suit.

SEC. 3. Either party may have an appeal from the Circuit Court to the Supreme Court, but in case of an appeal by the State, no appeal bond shall be required.

SEC. 4. The State shall not be responsible for any costs occasioned by the proceedings which may be instituted as aforesaid.

SEC. 5. Process may be sent to any county in this State, and a service upon any one of said Trustees, shall be sufficient service thereof.

SEC. 6. This joint-resolution shall take effect and be in force from and after its passage.

The question being upon the adoption of the amendment; when, Mr. Cassatt, moved the following amendment to the amendment:
Add the following:

Be it further Resolved, That it shall be the duty of the Governor to prosecute in like manner the Trustees of the Wabash and Erie Canal for any violation of any of the promises of the above recited acts, and especially those promises requiring the re-appraisal of the Wabash and Erie Canal Lands, and the contracting and keeping in repair bridges across the Wabash and Erie Canal, where State or County roads cross the same;

Which amendment to the amendment was adopted,
And the amendment as amended was adopted; and,

On motion,

The rules were further suspended, the joint-resolution considered as engrossed, read a third time and passed.

Mr. English from a select committee, made the following report:

MR. PRESIDENT:

The select committee to which was referred bill of the House No.

49, an act relative to school funds in the county of Clark, have had the same under consideration and have made an amendment, and when adopted recommend the passage of the bill.

Amendment referred to in the above report:

Add the following section:

SEC. . . Nothing in this act shall operate or be construed to release said agent or his securities from any liability heretofore incurred on the bond of said agent;

Which amendment was adopted; and,

On motion by Mr. English,

The rules were suspended, the amendments considered as engrossed, and the bill read a third time and passed.

Mr. Walpole asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the Senate No. 94, entitled, "a bill to compel the White Water Valley Canal Company to comply with the terms and stipulations of her charter, have according to order, had the same under consideration and said committee have made one amendment to said bill, by striking the same out from its enacting clause, and insert the accompanying amendment, and when so amended, the committee unanimously recommend its passage.

Amendment referred to in the above report:

Strike out the original bill and insert the following in lieu thereof:

A Bill to enable the Whitewater Valley Canal Company to put said Canal in repair.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That the State hereby releases to the Whitewater Valley Canal Company all right of the State to redeem or resume said Canal or any part of the same, reserving however to the State all nett profits made on said Canal, over and above eight per centum per annum on the cost of construction and repairs made to the same by said company. And in consideration of said relinquishment on the part of the State, said company shall on or before the first day of October next, make the necessary repairs to the Harrison feeder dam on said Canal, and restore navigation on said Canal to Lawrenceburg, and supply the lessees of water power granted by the State, and keep said Canal in navigable order from Lawrenceburg to Cambridge city: *Provided nevertheless,* Should there happen any freshet, that would destroy or seriously injure said Canal, in such

event said company shall have sufficient time, not exceeding one year, to complete such repairs as may be necessary, and said Company shall at any time be authorized to suspend navigation a sufficient time to make ordinary repairs to said Canal or any of its works: *Provided further*, That said Canal Company shall not reduce the tolls on said Canal below such tolls charged upon similar works, the effect of which would be to prevent said Company from declaring dividends exceeding eight per centum per annum, as aforesaid; And if said Company shall at any time neglect or refuse to comply with the foregoing provisions, then the foregoing relinquishment to be void.

SEC. 2. The President and Directors shall annually in the month of December, report to each branch of the General Assembly the amount of the cost of construction and repairs made by said Company on said Canal, designating the cost of construction of said Canal as made by the Company, and separately the cost of the repairs, the rates of tolls charged on said Canal, and the annual receipts of tolls and water rents, which report shall be verified by the oaths of the President, Secretary, and Treasurer of said Company.

SEC. 3. Should said company fail or refuse to put that portion of said Canal which lies between the junction of the branch which leads from Harrison to Cincinnati, and that which leads to Lawrenceburg, in good repair agreeably to the provisions of this act, it shall be the duty of the Prosecuting Attorney of the county of Franklin in this State, to cause and procure a *scire facias* to be issued out of the Franklin Circuit Court against said Company, requiring it to appear in said Court, and show cause, if any it can, why all its rights and franchises under and by virtue of its charter, shall not be adjudged and declared forfeited to the State of Indiana, for failing to comply with the provisions of its charter.

SEC. 4. Such *scire facias* may issue to any county in this State, and be served on the President or Secretary of the Company wherever they may be found, which shall be deemed sufficient to require the Company to appear and plead to the action, at the term to which it may be made returnable: *Provided*, The same shall have been served ten days before the first day of the term; the State shall not be liable for cost in the event said *scire facias* issues.

SEC. 5. This act shall take effect and be in force from and after its passage, and shall be deemed and taken as a public act;

Which amendment was adopted.

On motion by Mr. Walpole, The rules were suspended, the bill considered as engrossed, and read a third time, and on the passage of the bill,

The ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Buckels, Cassatt, Davis, Dole, Evans, Graham, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Millikin, Montgomery, Orth, Osborn, Rousseau, Simpson, Taber, Walpole and Waters—23.

Those who voted in the negative are,

Messrs. Coats, Day of Kosciusko, Day of St. Joseph, English, Garver, Green, Hardin, Henry, Huffstetter, James, Malott, McCarty, Miller, Morrison, Porter, Read, and Stewart—17.

So the bill passed.

On motion by Mr. Davis,

Leave of absence was granted to Mr. Houghton, until Wednesday next.

On motion by Mr. Orth,

Leave of absence was granted to Mr. Ellis, for the remainder of the session.

On motion by Mr. Simpson,

The Senate adjourned.

SATURDAY MORNING, JAN. 6th, 1849.

The Senate met;

The journal of the preceding day was read.

PETITIONS PRESENTED.

By Mr. Garver,

The petition of Joseph W. Ross, and other citizens of Hamilton county, relative to the sale of ardent spirits; Which was referred to the committee on the Judiciary.

Also,

By Mr. Garver,

The petition of Wm. F. Wagoner, and other citizens of Hamilton county, asking for the repeal of the law allowing courts to consolidate indictments;

Which was referred to a select committee, consisting of

Messrs. Garver, Stewart and Buckles.

By Mr. Marsh,

The petition of sundry citizens of Steuben and Lagrange counties, asking the passage of a law incorporating a Company to construct a certain Plank Road therein named ;

Which was referred to a select committee, consisting of Messrs. Martin, Marsh and Randall.

By Mr. Holloway,

The petition of sundry citizens of the town of Richmond, and vicinity, asking the repeal of the ten gallon law, in Wayne township, in Wayne county ;

Which was read and referred to a select committee consisting of Messrs. Holloway, Robinson and Simpson.

By Mr. Conduit,

The petition of sundry citizens of the county of Morgan, relative to the sale of ardent spirits.

Which was referred to the committee on the judiciary.

Also,

By Mr. Conduit,

Two petitions of sundry citizens of the county of Morgan, relative to road tax in said county ;

Which was referred to a select committee, consisting of Messrs. Conduit, Waters and Hendricks.

On motion by Mr. Montgomery,

The vote on the passage of the joint resolution of the Senate, entitled,

No. 79. A Joint Resolution to provide for the enforcement of the State debt act, and the act supplemental thereto ;

Was reconsidered, when,

Mr. Montgomery moved the following amendments to said joint resolution :

Insert after the word "court," "at the next term thereof."

Insert in the proper place the following :

Provided however, That if the said Trustees proceed, in good faith, to put said side-cuts under contract previous to the time herein specified for the commencement of said suit, of which the Governor shall, by them be officially notified, and otherwise give satisfactory assurances that said works will be completed without further delay, then the suit herein contemplated in reference to said works, shall not be instituted against said Trustees.

Which amendments were adopted by unanimous consent of the Senate, and the joint resolutions passed.

The following message was received from his Excellency the Governor, by Andrew J. Carr his private secretary :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he did on yesterday approve and sign the following bills and joint resolutions :

No. 11. An act to authorize the Secretary of State to send an additional number of copies of the laws of the State to Jay county ;

No. 85. An act for the relief of Lavina Whisler ;

No. 34. An act to locate a State road in the counties of Decatur, Jennings and Bartholomew ;

No. 73. An act relative to the sale of school lands in certain counties therein named, and to amend article 13 chapter 13 of the Revised Statutes of 1843 ;

No. 75. An act to incorporate the General Association of Baptists in Indiana ;

No. 56. An act to change the name of Emeline Grubb ;

No. 31. An act to amend an act entitled "An act regulating the practice of law in the Allen Circuit Court, and for other purposes," approved 15th January, 1844 ;

No. 51. An act to amend an act entitled "An act to amend and reduce into one the several acts relating to the corporation of the town of Vevay," approved January 20, 1846 ;

No. 78. An act for the relief of William Armstrong ;

No. 4. An act to incorporate the Richmond and Newport Turnpike Company ;

No. 72. An act to amend act entitled "An act to incorporate the Crawfordsville and Wabash Railroad Company," approved 19th January, 1846 ;

No. 57. An act legalizing the sale of the school section in township 20 north, of range 10 east, in Delaware county ;

No. 53. An act to incorporate the Fair Play Fire Engine and Hose Company of the city of Madison ;

No. 45. An act authorizing David Moss to sell certain stone in Hamilton county ;

No. 10. An act to incorporate the Columbus, Nashville, and Bloomington Railroad Company ;

No. 21. An act to authorize Patsey C. Paden to sell certain real estate she inherited from her father ;

No. 29. An act to give effect to the last will and testament of Jane Parker ;

REPORTS FROM STANDING COMMITTEES.

Mr. Hendricks, from the committee on the judiciary, made the following report :

MR. PRESIDENT :

The judiciary committee to which was referred bill of the Senate No. 99, have had the same under consideration, and have directed me

to report the following amendment, and when so amended recommend its passage:

Amend by adding the following section:

Sec. 3. The provisions of this act shall only extend to a purchase or purchases made by James D. Glass, late of Jefferson county, deceased;

Which amendment was adopted.

No. 99. A bill for the relief of James D. Glass, deceased;

Was read a third time and passed, when,

Mr. Hendricks moved the following amendment to the title of said bill:

Strike out the original title and insert the following:

"An act for the relief of the heirs of James D. Glass, deceased."

Which amendment was adopted.

Mr. Morrison, from the committee on education, made the following report:

MR. PRESIDENT:

The committee on education to whom was referred bill of the House No. 77, entitled "A bill relating to the Baptist Education Society for Indiana," have had the subject under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

The bill was ordered to a third reading.

Mr. Miller, from the committee on education, made the following report:

MR. PRESIDENT:

The committee on education to whom was referred the petition of William Twining and others, praying "that a reasonable share of the school fund be appropriated to the education of the colored people of this State," have had the subject under consideration, and directed me to report that legislation upon that subject is inexpedient, and ask to be discharged from its further consideration.

On motion by Mr. Beard,

The petition was recommitted to the same committee.

By Mr. Stewart, from the committee on education:

MR. PRESIDENT:

The committee on education to whom was referred the petition of citizens of Fountain county, requesting "That if the present school law is changed so as to create from the people a tax, to pay for the support of common schools, that the tax so paid be returned in the county treasury, to be distributed as the surplus revenue now is, have had the same under consideration, and directed me to re-

port the same back to the Senate, and recommend that the same be laid upon the table;

Which report was concurred in, and,

The petition laid upon the table.

By Mr. Miller, from the committee on education.

MR. PRESIDENT:

The committee on education to whom was referred bill of the Senate No. 110, "To establish a male and female institute in the city of Lawrenceburg," have had the same under consideration, and have directed me to report it back, with one amendment, and upon its adoption recommend its passage:

Strike out the 6th section and insert the following:

"The legislature reserves the right to alter, amend, or repeal this act;"

Which amendment was not adopted.

And

On motion by Mr. Millikin,

The rules were suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Graham, from the committee on canals and internal improvements:

MR. PRESIDENT:

The committee on canals and internal improvements, to whom was referred a petition of 150 citizens of Lake county, relative to a "re-appraisal of canal lands west of Tippecanoe river," have had the subject under consideration, and have directed me to report that as the prayer of the petitioners is embraced in a joint resolution that has passed the Senate, further legislation is unnecessary, and ask to be discharged from the further consideration thereof.

Which report was concurred in, and the committee discharged.

By Mr. Conduit, from the committee on canals and internal improvements:

MR. PRESIDENT:

The committee on canals and internal improvements, to which was referred bill of the Senate No. 113, "a bill to authorize certain persons therein named to build a mill dam across the west fork of White river," have had the same under consideration, and have directed me to report it back to the Senate, and recommend that the bill be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

By Mr. Hardin, from the committee on roads :

MR. PRESIDENT :

The committee on roads, to whom was referred a bill of the Senate, No. 138, entitled "a bill to revise and consolidate the several acts of the General Assembly in relation to laying out, &c., public highways, and the erection and repair of bridges, and to amend the same," have had the same under consideration, and have instructed me to report the same to the Senate with several amendments, and upon their adoption to recommend its passage.

Amendments referred to in the above report :

1st. Amend the 29th section by inserting the words "county and" after the word "private" in the second line.

2d amendment :—

Strike out all after the word "highways" in the third line of the 90th section.

3d amendment :—

Strike out the words "if not worked by the first day of October in said year," in the fifth and sixth lines of the 102nd section.

4th amendment :—

Strike out 130th section.

Whereupon,

On motion, The Senate concurred in the first, second, and third amendments, and

Refused to concur in the fourth amendment as proposed by the committee ; when

Mr. Randall moved the following amendment :

Amend by inserting the words "Adams, Allen, and Wells," in section 129.

Which amendment was adopted ; when

Mr. Marsh moved the following amendment :

Amend by inserting the words "Steuben and De Kalb," in section 129.

Which amendment was adopted.

Whereupon,

On motion by Mr. Miler,

The bill was recommitted to the committee of the whole Senate,

and made the special order of the day for to day at 2 o'clock, P. M.

By Mr. Dole from the committee on roads :

MR. PRESIDENT :

The committee on roads to which was referred bill of the Senate No. 141, entitled an act explanatory of sections 13, 18 and 22, of chapter 16, of the Revised Statutes of 1843, have had the same under consideration, and have directed me to report, that in their opinion legislation upon that subject is inexpedient, and they recommend that it be indefinitely postponed ;

Which report was concurred in, and the bill indefinitely postponed.

By Mr. Miller, from the committee on agriculture :

MR. PRESIDENT :

The committee on agriculture, to which was referred a petition of sundry citizens of Lake county, "relative to restraining hogs from running at large in said county," have had the subject under consideration, and have directed me to report a bill and recommend its passage ;

And bill entitled,

No. 196. A bill to authorize the county commissioners of Lake county to restrain hogs from running at large ;

Was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Osborn,

The rules were further suspended, and the bill considered as engrossed, read a third time, and passed.

By Mr. Hubbard from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to which was referred bill of the House, No. 38, entitled "a bill to vacate part of a road in the county of Dearborn," has had the same under consideration, and directed me to report it back to the Senate, and recommend its passage ;

And the bill was read a third time, and passed.

By Mr. Millikin from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the

House, No. 3, have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage;

And the bill was read a third time and passed.

By Mr. Hubbard from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to which was referred bill of the House, No. 51, entitled "a bill to authorize a company to construct the Milton and Aurora Turnpike," have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage;

Which report was concurred in, and the bill read a third time and passed.

By Mr. Millikin from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred bill of the Senate, No. 160, have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage;

And,

On motion by Mr. Hendricks,

The rules were suspended, the bill considered as engrossed, read a third time and passed.

By Mr. Sleeth from the committee on corporations;

MR. PRESIDENT:

The committee on corporations, to whom was referred Senate bill No. 142, entitled "a bill amendatory of an act entitled an act incorporating the Lafayette and Danville Rail Road Company," have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage;

And,

On motion by Mr. Orth,

The rules were suspended, and the bill considered as engrossed, read a third time, and passed.

By Mr. Millikin, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the

Senate No. 186, have had the same under consideration, and directed me to report it back to the Senate and recommend its passage.

On motion by Mr. Holloway,

The rules were suspended, the bill considered as engrossed, read a third time and passed.

By Mr. Hubbard, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to which was referred bill of the Senate No. 143, entitled "a bill to incorporate the Laurel and Bloomington Turnpike company, has had the same under consideration, and directed me to report the same back to the Senate without amendment, for the action of the Senate.

And the bill was ordered to be engrossed for a third reading.

By Mr. Sleeth, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations, to whom was referred bill of the Senate No. 191, entitled "a bill to incorporate the Madison Iron Manufacturing Company," have had the same under consideration, and instructed me to report the same back to the Senate and recommend its passage.

When Mr. Hendricks moved the following amendment to the bill:

Amend the first section by inserting the following names: "Henry Hildreth," "C. P. J. Arion," and "Milton Stapp."

Which amendment was adopted.

By Mr. Sleeth, from the committee on corporations:

MR. PRESIDENT:

The committee on corporations to whom was referred House bill No. 7, in relation to the College Corner and Liberty Turnpike Company, and the Liberty and Abington Turnpike company, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

And the bill was read a third time and passed.

By Mr. Hamrick, from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill of the House No.

Which was adopted,
Whereupon,
The President *pro tem.*, appointed the following committee:
Messrs. Ellis, Houghton, Rousseau, Malott, English, Herod,
Adams, Cornett, Millikin, Huffstetter and Morrison.

Mr. Montgomery introduced the following resolution:

Resolved, That the judiciary committee be, and they are hereby instructed, to enquire into the expediency of reporting a bill authorizing and requiring the publication of all acts heretofore in force, since 1843, of a general nature, and which have been changed by legislation since that period, as modified, with the general acts of the present General Assembly;

Which resolution was adopted.

Mr. Hubbard introduced the following resolution:

Resolved, That the committee on claims in the investigation of the claim of Morehead, Hall & Co., is hereby invested with power to send for persons and papers.

Which was adopted.

Mr. Hendricks introduced the following resolution:

Resolved, That Mr. Hubbard have leave of absence from and after Wednesday next;

Which was adopted.

Mr. Orth asked and obtained leave, to present a communication from the Auditor of State, in relation to the claim of Morehead, Hall, and Company,

Which was referred to the committee on claims.

Mr. Ellis presented a communication from John Zulauf, in relation to the estate of John R. Fischli, deceased;

Which was referred to the committee on the judiciary.

The following message was received from the House of Representatives, by Mr Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate:

No. 20. An act authorizing the establishment of additional branches of the State Bank of Indiana;

No. 86. An act in relation to the New Albany and Salem Railroad Company;

With sundry amendments, in which the concurrence of the Senate is respectfully requested.

And,

On motion by Mr. Taber,
The Senate concurred in the engrossed amendments of the House to engrossed bill of the Senate, entitled,
No. 20. A bill authorizing the establishment of additional branches of the State Bank of Indiana.

And,

On motion by Mr. Davis,
The Senate concurred in the engrossed amendments of the House to the engrossed bill of the Senate,
No. 86. A bill in relation to the New Albany and Salem Railroad Company.

BILLS INTRODUCED.

By Mr. Taber,
No. 200. A bill to amend an act incorporating the Logansport and Rochester Michigan Road Company, approved January 16, 1846;

Which was read a first time, and,

On motion by Mr. Taber,

The rules were suspended, and the bill read a second time, and,

On further motion by Mr. Taber,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Herod,

No. 201. A bill further to amend an act, entitled "An act to incorporate the town of Columbus, Bartholomew county, Indiana," approved February 6, 1839;

Which was read a first time and,

On motion by Mr. Herod,

The rules were suspended and the bill read a second time, and,

On further motion by Mr. Herod,

The rules were further suspended, the bill read a third time and passed.

By Mr. Simpson,

No. 202. A bill to dissolve the banns of matrimony between Robert Hardesty and Ellen Hardesty;

Which was read a first time and,

On motion by Mr. Simpson,

The rules were suspended, and the bill read a second time, and,

On further motion by Mr. Simpson,

The rules were suspended, and the bill read a third time.

The question being upon the passage of the bill,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Cassatt, Coates, Davis, Day of St. Joseph, Dole, English,

Graham, Green, Hardin, Hendricks, Herod, Holloway, Hubbard, Huffstetter, James, Malott, Millikin, Milligan, Miller, Montgomery, Osborn, Randall, Read, Rousseau, Simpson, Sleeth, Taber, Walpole, and Waters—29.

Those who voted in the negative are,

Messrs. Beard, Buckles, Conduit, Day of Kosciusko, Ellis, Evans, Garvey, Harvey, Henry, Marsh, Martin, Morrison, Orth, Porter, Robinson, and Stewart—16.

So the bill passed.

By Mr. Henry,

No. 203. A bill prescribing the practice in the circuit courts in cases of appeals from the award of the appraisers appointed to assess damages to claimants for materials taken for or land injured, by the construction of the Wabash and Erie Canal;

Which was read a first time, and,

On motion by Mr. Henry,

The rules were suspended, the bill read a second time, and

Referred to a select committee, consisting of Messrs. Henry, Coates, Dole, Rousseau, Miller, Orth, and Graham.

By Mr. Walpole,

No. 204. A bill fixing the compensation and defining the duties of the Prosecuting Attorney of Hancock county;

Which was read a first time, and

On motion by Mr. Walpole,

The rules were suspended, and the bill read a second time, and

On further motion by Mr. Walpole,

The rules were further suspended, the bill considered as engrossed read a third time and passed.

By Mr. Hendricks,

No. 205. A bill to incorporate the Madison and Cross plains turnpike company;

Which was read a first time, and

On motion by Mr. Hendricks,

The rules were suspended, and the bill read a second time, and

On further motion by Mr. Hendricks,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Hendricks,

No. 206. A bill for the relief of George N. Wait;

Which was read a first time, and

On motion by Mr. Hendricks,

The rules were suspended, and the bill read a second time, and referred to a select committee consisting of Messrs. Hendricks, Hubbard, and English.

On motion by Mr. Orth,

The Senate adjourned.

Two o'clock, P. M.

The Senate met;

Mr. Beard asked and obtained leave to introduce the following bill:

No. 207. A bill relative to Rail Roads;

Which was read a first time, and,

On motion by Mr. Beard,

The rules were suspended, and the bill read a second time, and

On further motion by Mr. Beard,

The rules were further suspended, and the bill considered as engrossed, read a third time, and passed.

Mr. Davis asked and obtained leave to introduce the following resolution:

Resolved, That when the Senate adjourns it will adjourn to meet again on Tuesday morning next;

Which resolution was adopted.

Mr. Beard moved a call of the Senate,

Which was ordered.

And the call having been proceeded with,

On motion by Mr. Marsh,

The further call was suspended.

On motion by Mr. Miller,

The Senate resolved itself into the committee of the whole on Senate bill,

No. 138. A bill to revive and consolidate the several acts of Assembly in relation to the laying out, opening, repairing, changing and vacating public highways, and for erecting and repairing bridges and to amend the same;

And having spent some time in the consideration of said bill, the committee rose, reported that they had had said bill under consideration, made sundry amendments thereto, in which they ask the concurrence of the Senate therein, and ask to be discharged from the further consideration of said bill.

Amendments made by the committee of the whole Senate to said bill:

1st. Strike out the word "shall," and insert "may," in lieu thereof, in Sec. 8.

2d. Add the following proviso to the 54th section:

"*Provided*, That the provisions of this section shall not be construed to apply to streets and alleys in towns."

3d. Add the following proviso to said section:

Provided further, That the provisions of this section shall not be construed to apply to such roads as are worked and used as public highways.

4th. Amend the same section by striking out the word "and" after the word "opened," and before the word "worked," and insert in lieu thereof the word "or."

All of which amendments were adopted, and the committee discharged.

And the bill still being open to amendment,

Mr. Walpole moved the following amendment :

Add in its proper place the following :

"The counties of Hancock and Madison are hereby exempt from the provisions of this act, and all laws now in force prior to the enactment of this law, is still in full force and effect, so far as the counties aforesaid are concerned ;

Which amendment was adopted.

Mr. Buckles moved the following amendment :

Insert the word "Delaware," in the 129th section ;

Which amendment was adopted.

Mr. English moved the following amendment :

Insert the word "Scott," in the 129th section :

Which amendment was adopted.

Mr. Taber moved the following amendment :

So amend the bill as to exempt the county of Cass from the operations of the 23d section thereof ;

Which amendment was adopted.

Mr. Coates moved the following amendment :

Amend the 127th section by striking out the word "ten," and inserting in lieu thereof the word "five."

Which amendment was not adopted.

Whereupon, Mr. Stewart moved to strike out the word "ten" in said section 127, and insert in lieu thereof the word "four ;"

Which amendment was not adopted.

Mr. Osborn moved the following amendment to the bill :

Add the following section :

SEC. 134. All laws and parts of laws coming in conflict with this act, be and the same are hereby repealed, except such as are by this act excepted ;

Which amendment was adopted.

Mr. Stewart moved the following amendment :

"Strike out the 127th section ;"

The question being upon the adoption of the amendment,

Mr. Dole called for a division of the question, and,

The President pro. tem., having decided the question to be susceptible of division, stated that the first question will be,

Will the Senate strike out ?

The ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Coates, Garver, McCarty, Millikin, Morrison, Orth, Robinson, and Stewart—9.

Those who voted in the negative are,

Messrs. Beard, Buckles, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Evans, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Hubbard, Huffstetter, James, Malott, Milligan, Miller, Montgomery, Osborn, Porter, Read, Rousseau, Simpson, Sleeth, Taber, Walpole, and Waters—33.

So the Senate refused to strike out.

Mr. Henry moved the following amendment :

Strike out section 132 ;

Which amendment was adopted, and,

On motion by Mr. Hardin,

The rules were suspended, the bill considered as engrossed, read a third time and passed.

Mr. Hardin moved to amend the title to the bill as follows :

After the word "of," and before the word "Assembly," insert "the General."

Which amendment was adopted.

Mr. Walpole asked and obtained leave, to introduce the following bill, entitled,

No. 208. A bill for the relief of certain laborers on the Central Canal for work done in 1847 and 8 ;

Was read a first time, and,

On motion by Mr. Walpole,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Walpole,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Robinson asked and obtained leave, to introduce the following bill :

No. 209. A bill to amend Article 1, of Chapter 35, of the Revised Statutes of 1843 ;

Which was read a first time, and,

On motion by Mr. Robinson,

The rules were suspended, and the bill read a second time,

When Mr. Osborn moved the following amendment to the bill :

Strike out the word "ten" in the first section, and insert the words "twenty-five" in lieu thereof ;

Which amendment was adopted.

When Mr. Miller moved to indefinitely postponed the bill,

Upon which motion the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Ellis, Garver, Graham, Green, Hardin, James, Malott, Miller, Morrison, Sleeth, Taber, Walpole, and Waters—13.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Coates, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, English, Hamrick, Harvey, Hendricks, Henry, Herod, Holloway, Hubbard, Huffstetter, McCarty, Millikin, Milligan, Montgomery, Orth, Osborn, Porter, Randall, Read, Robinson, Rousseau, Simpson, and Stewart—30.

So the bill was not indefinitely postponed;

Whereupon,

The bill was ordered to be engrossed for a third reading.

Mr. Osborn asked and obtained leave, to introduce the following bill:

No. 210. A bill amending sections 48, 49 and 50, of Chapter 29 of the Revised Statutes of 1843;

Which was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended, and the bill read a second time, and referred to the committee on the judiciary.

Mr. Dole asked and obtained leave, to introduce the following bill, entitled,

No. 211. A bill to amend an act entitled, an act to amend the practice in the Probate Court, approved January 28th, 1847;

Was read a first time, and,

On motion by Mr. Dole,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

Mr. Beard asked and obtained leave, to make the following report, from the committee on the affairs of the town of Indianapolis.

MR. PRESIDENT:

The committee on the affairs of the town of Indianapolis to whom was referred the petition of Samuel Henderson, asking the extension of Illinois street, have had that subject under their consideration, and directed me to report the following bill:

No. 212. A bill for the extension of Illinois street, in the city of Indianapolis;

Was read a first time, and,

On motion by Mr. Beard,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Beard,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

The following message was received from the House of Representatives by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate:

No. 84. An act to incorporate the Rockport and Washington Rail Road Company;

With one amendment,

In which the concurrence of the Senate is respectfully requested.

And,

On motion by Mr. Graham,

The Senate concurred in the engrossed amendment of the House to the said engrossed bill of the Senate.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 242. An act to change the time of holding courts in the 8th Judicial Circuit, and to reduce said Circuit;

No. 243. An act relative to roads and highways in Boone county;

No. 244. An act to incorporate the American University;

No. 247. An act to authorise a company to construct a turnpike road from the point where the present State road leading from Oxford to Connersville, crosses the State line of Ohio and Indiana, to Connersville;

In which the concurrence of the Senate is respectfully requested.

And bill contained in said message, entitled,

No. 242. A bill to change the time of holding courts in the 8th Judicial Circuit and to reduce said Circuit;

Was read a first time, and,

On motion by Mr. Taber,

The rules were suspended, the bill read a second time, and,

Referred to a select committee, consisting of Senators from the 1st and 8th Circuits.

And bill contained in said message entitled,

No. 243. A bill relative to roads and highways in Brown county;

Was read a first time, and

On motion by Mr. Adams,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Adams,

The rules were further suspended, the bill read a third time, and passed.

And bill contained in said message entitled,

No. 244. A bill to incorporate the American University;
Was read a first time, and

On motion by Mr. Day of St. Joseph,
The rules were suspended, the bill read a second time, and
referred to a select committee consisting of Messrs. Day of St.
Joseph, Day of Kosciusko, and Osborn.

And bill contained in said message entitled,

No. 247. A bill to authorize a company to construct a turnpike
road from the point where the present State road leading from Ox-
ford to Connersville, crosses the State line of Ohio and Indiana to
Connersville;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, and,

The bill read a third time and passed.

Mr. Stewart asked and obtained leave to present two petitions
from sundry mechanics in the town of Indianapolis in relation to
the erection of the Deaf and Dumb Asylum;

Which were read and

On motion by Mr. Stewart,

Referred to the committee on the Benevolent Institutions of the
State, with instructions to send for persons and papers.

The following message was received from the House of Repre-
sentatives by Mr. Dodd, their Clerk:

Mr. President:

I am directed by the House of Representatives to inform the Se-
nate that the Speaker of the House has this day signed the follow-
ing enrolled acts of the House:

No. 99. An act to reduce the fees and salaries of county officers
in the county of Blackford;

No. 107. A preamble and joint resolution relative to the reduc-
tion of the price of the public land in the Great Miami Reserve;

No. 122. An act to repeal an act entitled "an act to extend the
jurisdiction of justices of the peace in the counties of Lake and Por-
ter," approved February 14, 1848;

Which I am directed to bring to the Senate for the signature of
the President thereof.

Also,

The following message was received from the House of Repre-
sentatives by Mr. Dodd their clerk:

Mr. President:

I am directed by the House of Representatives to inform the Se-
nate that the House have passed the following engrossed bills
thereof:

No. 83. An act to prevent intemperance in Wayne, Greensboro,
Spiceland, and Harrison townships, in the county of Henry.

No. 174. An act defining the boundaries of the county of Black-
ford.

In which the concurrence of the Senate is respectfully requested.

And bill in said message contained, entitled,

No. 83. A bill to prevent intemperance in Wayne, Greensboro,
Spiceland, and Harrison townships, in the county of Henry;

Was read a first time, and,

On motion by Mr. Evans,

The rules were suspended, and the bill read a second time,
When,

Mr. Evans moved the following amendment to the bill:

After the word "Wayne," in the third section, insert the words
"Greensboro, Spiceland and Harrison."

Strike out in the 3d section the words "and publication in the
Indiana Journal and State Sentinel."

Which amendments were adopted,

And,

On motion by Mr. Evans,

The rules were further suspended, and the amendments consider-
ed as engrossed, and the bill read a third time and passed.

And bill in said message contained, entitled,

No. 174. A bill defining the boundaries of the county of Black-
ford;

Was read a first time, and,

On motion by Mr. Milligan,

The rules were suspended, the bill read a second time, and re-
ferred to a select committee, consisting of

Messrs. Milligan, English, Walpole, Buckles, and Ellis.

Mr. Morrison asked and obtained leave, to make the following
report from the committee on education:

Mr. President:

The committee on education to whom was referred, a resolution
of the Senate, instructing them to enquire into the expediency of
establishing a chair in the State University, at Bloomington, for in-
struction in "Agriculture and Agricultural Chemistry," have had
the subject under consideration and have directed me to report, that
the importance of instruction in "Agriculture and Agricultural
Chemistry" to the prosperity of the State at large, should entitle it
to a prominent place in every well regulated Collegiate Institution,
and more especially in an institution which is exclusively owned
and controlled by the State; and the committee have been gratified
to learn that instruction in those branches has always entered into
the course of studies prescribed for his department, by the accom-
plished Professor who now fills, with distinguished honor, the chair

of Chemistry, in the University of Indiana. They, therefore, deem it inexpedient to legislate on the subject, and ask to be discharged from the further consideration of the same.

Which report was concurred in, and the committee discharged.

On motion by Mr. Hardin,
The Senate adjourned, until Tuesday morning next, at 9 o'clock.

TUESDAY MORNING, JANUARY 9, 1849.

The Senate met pursuant to adjournment ;

On motion by Mr. Ellis,
The reading of the journal was dispensed with.
Mr. Ellis asked and obtained leave, to make the following report from a select committee.

MR. PRESIDENT :

The select committee to which had been referred the petition of Wm. Benton, and others, have instructed me, to report the following bill, and recommend its passage :

No. 223. A bill amendatory of an act entitled, an act to establish a Levee from the town of Vincennes through the lower Prairie near the Wabash river, to the Grand Coulee, approved February 2, 1833.

Was read a first time, and,

On motion by Mr. Ellis,
The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Ellis,
The rules were further suspended, and the bill considered as engrossed, read a third time and passed.

Mr. Ellis asked and obtained leave to introduce the following bill :

No. 214. A bill for the relief of John Zulauf.

Which was read a first time ; and,

On motion by Mr. Ellis,
The rules were suspended, the bill read a second time, and,
Referred to the committee on the judiciary.

Mr. Randall asked and obtained leave to introduce the following bill :

No. 215. A bill to incorporate the Ohio, Indiana, and Lake Michigan Railroad company ;

Which was read a first time ; and,

On motion by Mr. Randall,

The rules were suspended,

The bill read a second time, and referred to the committee on corporations.

PETITIONS PRESENTED.

By Mr. Orth :

Two petitions, from sundry citizens of Tippecanoe county, asking the incorporation of a company to build a bridge over Wildcat, in said county ;

Which was referred to a select committee consisting of,
Messrs. Orth, Beard, and Simpson.

By Mr. Osborn,

The petition of sundry citizens of Lake county, asking that the price of the canal lands may be reduced under the State debt bill ;

Which was read, and laid upon the table.

By Mr. Holloway,

The petition of the citizens of the city of Richmond, asking for an amendment to the charter of said city ;

Which was read, and referred to a select committee consisting of
Messrs. Holloway, Hendricks, and Hubbard.

By Mr. Holloway,

The petition of sundry citizens of Wayne county, asking the passage of a law to restrain the sale of spirituous liquors ;

Which was read, and

Referred to the committee on the judiciary.

By Mr. McCarty,

The petition of sundry citizens of the White Water Valley, asking for the incorporation of a company to make a certain road therein named ;

Which was referred to the committee on corporations.

By Mr. Sleeth,

The petition of sundry citizens of Shelby county, in reference to the sale of ardent spirits in said county ;

Which was referred to the committee on the judiciary.

Mr. Orth made the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred the petition and remonstrance of sundry citizens of Jasper, White, and Tippecanoe counties, on the subject of the location of a State road in said counties, have had the same under consideration, and instructed me to

report to the Senate the following bill and respectfully recommend its passage:

No. 216. A bill to locate a State road in the counties of Jasper, White, and Tippecanoe;

Was read a first time; and,

On motion by Mr. Orth,

The rules were suspended, and the bill read a second time, and,

On further motion by Mr. Orth,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

BILLS INTRODUCED.

By Mr. Robinson,

No. 217. A bill to suppress professional gambling, and for other purposes;

Which was read a first time; and,

On motion by Mr. Robinson,

The rules were suspended, and the bill read a second time, and,

On further motion by Mr. Robinson,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Day, of Kosciusko,

No. 218. A bill entitled an act to revive an act entitled an act to incorporate the Fort Wayne and Plymouth Turnpike Company, approved January 10, 1846;

Which was read a first time, and,

On motion by Mr. Day, of Kosciusko,

The rules were suspended, the bill read a second time, and referred to a select committee, consisting of Messrs. Day, of K., Evans and Malott.

By Mr. Harvey,

No. 219. A bill to amend the Statute providing for the taking a change of venue in criminal cases;

Which was read a first time; and,

On motion by Mr. Harvey,

The rules were suspended, and the bill read a second time, and,

On further motion by Mr. Harvey,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

On motion by Mr. Montgomery,

The vote was reconsidered upon the passage of Senate bill No. 216, and the bill recommitted to a select committee consisting of Messrs. Montgomery, Orth and Henry.

By Mr. McCarty,

No. 220. A bill to incorporate the Brookville and Milroy Turnpike Company;

Which was read a first time, and,

On motion by Mr. McCarty,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

By Mr. Holloway,

No. 221. A bill to incorporate the Richmond and Middleborough Turnpike Company;

Which was read a first time; and,

On motion by Mr. Holloway,

The rules were suspended, and the bill read a second time, and,

On further motion by Mr. Holloway,

The rules were further suspended, and the bill considered as engrossed, read a third time and passed.

By Mr. Read,

No. 222. A bill to amend the charter of the Jeffersonville Association;

Which was read a first time, and,

On motion by Mr. Read,

The rules were suspended and the bill read a second time, and,

On further motion, by Mr. Read,

The rules were further suspended, and the bill considered as engrossed, read a third time and passed.

By Mr. Harvey,

No. 223. A bill to incorporate the Indianapolis and Danville Rail Road Company;

Which was read a first time, and,

On motion by Mr. Harvey,

The rules were suspended, and the bill read a second time, and referred to the committee on corporations.

By Mr. Stewart,

No. 224. A bill for the relief of Joseph I. Stretcher, Commissioner appointed by the Governor under a joint resolution of the General Assembly providing for the removal of the remains of the late Hon. Tilghman A. Howard, from the State of Texas to the State of Indiana;

Which was read a first time; and,

On motion by Mr. Stewart,

The rules were suspended, the bill read a second time, and referred to the committee on claims.

By Mr. Stewart,

No. 225. A bill authorizing Thomas D. Gregg to borrow money;

Which was read a first time, and,

On motion by Mr. Stewart,

The rules were suspended, and the bill read a second time, when

Mr. Orth proposed the following amendment:

Add the following in the proper place;

"The same liberty shall be extended to every citizen of this State;" and,

The question being upon the adoption of the amendment, when

Mr. Hubbard proposed the following amendment to the amendment:

Add after the word "citizen" the following words "and corporation."

And the question being upon the adoption of the amendment to the amendment, when,

On motion by Mr. Miller,

The bill and pending amendments were indefinitely postponed.

By Mr. Stewart,

No. 226. A bill directing the Secretary of State to make patents to certain Michigan road lands;

Which was read a first time, and,

On motion by Mr. Stewart,

The bill read a second time, and referred to the committee on the judiciary.

By Mr. Harvey,

No. 227. A bill declaratory of the meaning of a certain act therein named, so far as the same relates to the county of Hendricks;

Which was read a first time, and,

On motion by Mr. Harvey,

The rules were suspended, the bill read a second time,

When Mr. Conduit moved to so amend the bill as to make its provisions general;

Which amendment was adopted, and,

On motion by Mr. Harvey,

The rules were further suspended, the bill considered as engrossed, read a third time and passed,

When Mr. Harvey moved to so amend the title by striking out the words "so far as the same relates to the county of Hendricks;"

Which amendment was adopted.

By Mr. Porter,

No. 228. A bill to unite the Mount Carmel and New Albany Railroad Company, and the Mount Carmel and Alton Railroad Company by the name of Mount Carmel, Alton, and New Albany Railroad Company;

Which was read a first time, and,

On motion by Mr. Porter,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Miller,

The bill was referred to a select consisting of Messrs, Miller, Porter and Davis.

Mr. Ellis asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee appointed upon the subject of certain proposed amendments to the Ohio and Mississippi Railroad Company,

having had the same under consideration, have instructed me to report the following bill and recommend its passage:

No. 229. A bill to amend an act to incorporate the Ohio and Mississippi Railroad Company;

Was read a first time, and,

On motion by Mr. Ellis,

The rules were suspended, the bill read a second time, when,

Mr. Rousseau moved the following amendment to the bill:

"Provided the privilege of exchange shall not extend to any stock subscribed by the county of Green;"

Which amendment was adopted, and,

On further motion by Mr. Ellis,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Garver asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to which was referred a petition of sundry citizens of Hamilton county concerning the consolidation of indictments in the Hamilton circuit court, have had the same under consideration, and directed me to report the following bill, and recommend its passage:

No. 230. A bill to prevent the consolidation of indictments in certain cases in Hamilton county;

Was read a first time, and,

On motion by Mr. Garver,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Garver,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Henry asked and obtained leave to make the following report from the committee on the judiciary:

MR. PRESIDENT:

The committee on the judiciary, to whom was referred a resolution instructing said committee to inquire into the expediency of changing the time of the meeting of the Legislature from the first Monday in December to the first Monday in January annually, have had the same under consideration, and instructed me to report the same back to the Senate, and recommend that it is inexpedient to make said change.

The question being upon concurring in the report of the committee, and,

And the ayes and noes being demanded by two Senators,

They were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Davis, Garver, Hardin, Harvey, Hendricks, Henry, Hubbard, Huffstetter, Marsh, McCarty, Morrison, Osborn, Porter, Randall, Robinson, and Stewart—17.

Those who voted in the negative are,

Messrs. Beard, Buckles, Cassatt, Coates, Conduit, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Evans, Green, Herod, Holloway, James, Malott, Martin, McCarty, Millikin, Milligan, Miller, Montgomery, Orth, Read, Simpson, Sleeth, Taber, Walpole, and Waters—28.

So the Senate refused to concur in the report of said committee. Whereupon,

Mr. Orth moved to recommit the resolution to a select committee with instructions to report a bill.

And the ayes and noes being demanded by two Senators, They were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Coates, Conduit, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Evans, Green, Herod, Holloway, James, Martin, McCarty, Millikin, Milligan, Miller, Montgomery, Orth, Read, Simpson, Sleeth, Taber, Walpole, and Waters—28.

Those who voted in the negative are,

Messrs. Adams, Davis, Garver, Hardin, Harvey, Hendricks, Henry, Hubbard, Huffstetter, Marsh, Morrison, Osborn, Porter, Randall, Robinson, and Stewart—16.

So the resolution was recommitted to a select committee with said instructions :

Whereupon,

The President, *pro tem.*, appointed Messrs. Orth, Randall, and Beard said committee.

Mr. Sleeth, from the committee on enrolled bills, made the following report :

MR. PRESIDENT :

The committee on enrolled bills have compared bill of the Senate, No. 20, with the engrossed thereof, and find it correctly enrolled.

Mr. Miller asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the Senate, No. 228, entitled, "A bill to unite the Mount Carmel and New Albany Railroad Company and the Mount Carmel and Alton Railroad Company, to be called the Alton, Mount Carmel, and New Albany Railroad Company," have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage.

And,

On motion by Mr. Miller,

The rules were suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Henry asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom bill of the Senate, No. 203, entitled, "An act prescribing the practice in the circuit courts in cases of appeal from the award of the appraisers appointed to assess damages to claimants for materials taken for or land injured by the construction of the Wabash and Erie Canal," have had the same under consideration, and directed me to report the same back to the Senate and recommend its passage.

And,

On motion by Mr. Henry,

The rules were suspended, and the bill considered as engrossed, read a third time, and passed.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the Senate :

No 86. An act in relation to the New Albany and Salem Railroad company ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the Speaker of the House has signed the following enrolled act of the Senate :

No. 20. An act authorizing the establishment of additional branches of the State Bank of Indiana.

Which I am directed to bring to the Senate, for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bill of the Senate :

No. 76. An act to define the jurisdiction of Justices of the Peace, in the several counties therein named.

With sundry amendments, in which the concurrence of the Senate is respectfully requested.

And,

On motion by Mr. Garver,

The Senate concurred in the first engrossed amendment of the House to said bill, with the following amendment :

Add the county of Hamilton.

And,

On motion by Mr. Orth,

The Senate concurred in the 2d, 3d, 4th, 5th, and 6th engrossed amendments of the House, to the said engrossed bill of the Senate.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bills and joint resolutions thereof :

No. 23. An act to authorize Jane Bushnell Jenks to hold and convey real estate.

No. 56. An act to prevent the Treasurers and other officers from receiving constructive per centages.

No. 106. An act to incorporate the Moscow and Bloominggrove Turnpike company.

No. 110. An act incorporating the Perrysville and Danville, and Perrysville and Georgetown Plank Road company.

No. 124. An act to incorporate the Covington Drawbridge company.

No. 146. An act to incorporate the Mt. Carmel and Harrison Turnpike company.

No. 155. An act to prevent the sale of spirituous liquors in Dalton Township, Wayne county.

No. 156. An act to repeal a certain law therein named, so far as relates to the county of Elkhart.

No. 157. An act relative to the Seminary fund, in Cass county.

No. 158. An act to locate a State road in the counties of Allen and Dekalb.

No. 159. An act to extend the Lawrenceburgh and Rushville Rail Road to the coal region near Point Commerce, in Greene county, *via* Martinsville, Gosport and Spencer.

No. 160. An act to change a part of the Indianapolis and Pendleton State road.

No. 161. An act providing for the election of township Assessors, in the counties of Dearborn, Switzerland, and Ohio.

No. 162. An act to amend an act entitled "An act to incorporate the Rushville and Lawrenceburgh Railroad Company ;

No. 163. An act to extend the time of payment to purchasers of school lands, and for other purposes ;

No. 164. An act to locate a State road in the counties of La-grange and Elkhart ;

No. 165. An act to prevent the poisoning of fish in the county of Greene ;

No. 166. An act to locate a State road from Wabash county, via Bluffton in Wells county, to Fort Recovery in Ohio ;

No. 170. A joint resolution relative to land selected by the State of Indiana for canal purposes ;

No. 171. An act for the relief of the persons therein named ;

No. 172. An act for the relief of widows ;

No. 173. An act to locate a State road in the counties of Shelby and Rush ;

No. 175. A joint resolution in relation to the Lafayette, Monticello and Michigan City Railroad ;

No. 176. A joint resolution on the subject of the three per cent. fund ;

No. 178. An act repealing the several acts exempting soldiers of the Mexican war from the payment of taxes ;

No. 180. An act for the relief of Solomon May, Sr. ;

No. 181. An act to change the venue in certain causes therein named, from the county of Marion to the county of Knox ;

No. 182. An act to provide for the election of township assessors in the county of Scott ;

No. 183. An act to authorize the letting of the water power at the Northport feeder dam in Noble county, and for other purposes ;

No. 185. An act relative to the jurisdiction of justices of the peace in criminal cases ;

No. 186. An act in relation to official misconduct of county commissioners;

No. 187. An act in relation to the collection of taxes in certain counties;

No. 189. An act to amend an act entitled "An act to incorporate the Henry county Turnpike Company," approved December 5th, 1848;

No. 190. An act to vacate the town of Ventersville in Morgan county;

No. 193. An act to legalize the assessment of taxable property in Wayne township, Bartholomew county for the year 1848;

No. 194. An act authorizing the election of an additional justice of the peace in Adams township in Marion county;

No. 195. An act to provide for the location of a State road in Grant and Wabash counties;

No. 196. An act amendatory of the act incorporating the town of Connersville;

No. 199. A joint resolution in relation to State instruments;

No. 200. A joint resolution on the subject of donating lands by the General Government;

No. 201. A joint resolution on the subject of publishing the general laws of the present session;

No. 206. An act defining the duties of congressional township trustees in Daviess county;

No. 208. An act to confirm a certain change in the Michigan road in Cass county;

No. 209. An act to repeal an act therein named;

No. 210. An act to compel speculators to pay a road tax equal to that paid by actual settlers; and for other purposes, in the county of Tipton;

No. 211. An act to change the time of holding circuit courts in the counties of Jennings and Bartholomew;

No. 214. An act to re-survey and relocate so much of the Indianapolis and Fort Wayne State road, as lies within the counties of Grant, Wells and Huntington;

No. 215. An act in relation to road tax in St. Joseph county;

No. 216. An act to incorporate the Washington Turnpike Company in Wayne county, Indiana;

No. 217. An act to legalize certain acts of the Auditor of Marshall county;

No. 218. An act to authorize supervisors in Wells county levying an additional road tax when necessary;

No. 219. An act to repeal an act entitled "An act to repeal an act entitled an act defining the duties of county treasurers, passed January 13, 1845," approved February 14th, 1838, relative to the counties of Fulton and Marshall;

No. 220. An act for the relief of Andrew Shaw;

No. 221. An act to change the name of the Ciceronian Society of Franklin College, to the name of Alpha Pi;

No. 222. An act to increase the salary of the probate judge of Wayne county;

No. 223. An act relative to roads in Marshall, Fulton, and Starke counties;

No. 226. An act to exempt the property of invalids from taxation;

No. 227. An act to incorporate the Greensburgh and Brookville Turnpike Company;

No. 228. An act defining the duties of the board of commissioners of the county of Monroe;

No. 229. An act to equally distribute the local and general laws of this State;

No. 231. An act to amend "An act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the board of internal improvement and the offices of the fund commissioner and chief engineer," approved January 28, 1842;

No. 235. An act defining the mode of appointing trustees of the county library of Sullivan county;

No. 257. An act in relation to roads and bridges in Bartholomew county;

No. 259. An act to change the name of the town of Huntsville in the county of Randolph, to that of Trenton;

No. 263. An act for the relief of Alexander Smith, late of Adams county, deceased;

No. 264. An act to incorporate the the Rushville Female Institute;

No. 265. An act for the relief of William Whaling, deceased;

No. 276. An act to provide for the election of prosecuting attorneys in the 4th and 8th judicial circuits;

No. 277. An act relating to the dockets of justices of the peace in Pleasant Run township in Lawrence county;

In which the concurrence of the Senate is respectfully requested.

And bill in said message contained, entitled,

No. 220. A bill for the relief of Andrew Shaw;

Was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Osborn,

The rules were further suspended, the bill read a third time and passed.

No. 23. A bill to authorize Jane Bushnell Jenks to hold and convey real estate;

Was read a first time, and,

On motion by Mr. Martin,

The rules were suspended the bill read a second time, and referred to a select committee consisting of, Messrs. Martin, Marsh and Herod.

And bill in said message contained, entitled,
No. 56. A bill to prevent Treasurer's and other officers from receiving constructive per centage ;

Was read a first time, and,

On motion by Mr. Martin,

The rules were suspended, the bill read a second time ; when,

Mr. Rousseau moved the following amendment to the bill,

Except the "counties of Green and Owen" from the provisions of the bill ;

Which amendment was adopted.

Whereupon Mr. Osborn moved the following amendment to the bill,

Except the counties of Laporte, Porter, and Lake from the provisions of the bill ;

Which amendment was adopted, when

On motion by Mr. McCarty,

The bill was indefinitely postponed.

No. 106. A bill to incorporate the Moscow and Blooming Grove turnpike company ;

Was read a first time, and,

On motion by Mr. McCarty,

The rules were suspended, the bill read a second time ; and,
Referred to the committee on corporations.

No. 110. A bill incorporating the Perrysville and Danville, and Perrysville and Georgetown Plank Road companies ;

Was read a first time, and,

On motion by Mr. Dole,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Dole,

The rules were further suspended, and the bill read a third time, and passed.

No. 124. A bill to incorporate the Covington Draw Bridge company ;

Was read a first time, and,

On motion by Mr. Coates,

The rules were suspended, the bill read a second time and referred to a select committee consisting of

Messrs Coates, Ellis, and Davis.

On motion by Mr. Hardin,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Millikin asked and obtained leave to introduce the following bill, entitled,

No. 231. A bill to incorporate the Milan and Manchester Turnpike company ;

Which was read a first time ; and,

On motion by Mr. Millikin,

The rules were suspended, the bill read a second time and

On further motion by Mr. Millikin,

The rules were further suspended and the bill considered as engrossed, read a third time and passed.

Mr. Martin asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom were referred several petitions from citizens of Valparaiso and Steuben counties, praying for a charter of a Plank Road Company in those counties, to be known as "the Northern Indiana Plank Road Company," have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 232. A bill to incorporate "The Northern Plank Road Company ;

Was read a first time ; and,

On motion by Mr. Martin,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Martin,

The rules were further suspended, and the bill considered as engrossed, and read a third time and passed.

Mr. Orth, asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred a resolution of the Senate, instructing them to report a bill changing the time of meeting of the General Assembly, have instructed me to report to the Senate the following bill, and respectfully recommend its passage :

No. 233. A bill to change the time of the meeting of the General Assembly of this State, from the first Monday in December, to the first Monday in January ;

Was read a first time ; when,

Mr. Orth moved to suspend the rules and read the bill a second time now ; and,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Coates, Day of Kosciusko, Day of St. Joseph, Graham, Green, Herod, Holloway, James, Marsh, Malott, Martin, Millikin, Milligan, Montgomery, Orth, Read, Simpson, Sleeth, and Taber—21.

Those who voted in the negative are,

Messrs. Adams, Davis, Garver, Hardin, Harvey, Hendricks, Henry, Hubbard, Huffstetter, McCarty, Miller, Morrison, Osborn, Porter, Randall, Robinson, and Stewart—17.

So the rules were not suspended; and,
The bill passed to a second reading; and,
The Senate resumed the consideration of the bills contained in the message heretofore taken up.

No. 146. A bill to incorporate the Mt. Carmel and Harrison Turnpike Company;

Which was read a first time; and,

On motion by Mr. McCarty,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. McCarty,

The rules were further suspended and the bill read a third time and passed.

No. 155. A bill to prevent the sale of spirituous liquors in Dalton township, Wayne county;

Which was read a first time; and,

On motion by Mr. Holloway,

The rules were suspended and the bill read a second time; and,

On further motion by Mr. Holloway,

The rules were further suspended, and the bill read a third time and passed.

No. 156. A bill to repeal a certain law therein named, so far as relates to the county of Elkhart;

Was read a first time; and,

On motion,

The rules were suspended and the bill read a second time; and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

No. 157. A bill relative to the Seminary fund in Cass county;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time; and,

On motion,

The rules were further suspended, and the bill read a third time and passed.

No. 158. A bill to locate a State road in the counties of Allen and DeKalb;

Was read a first time; and,

On motion by Mr. Randall,

The rules were suspended, the bill read a second time; and,

On further motion by Mr. Randall,

The rules were further suspended, the bill read a third time and passed.

No. 159. A bill to extend the Lawrenceburgh and Rushville Rail Road to the coal region near Point Commerce in Green county, via Martinsville, Gosport and Spencer;

Was read a first time; and,

On motion by Mr. Robinson,

The rules were suspended, and the bill read a second time, and referred to a select committee of Senators on the line of said road.

No. 160. A bill to change a part of the Indianapolis and Pendleton State Road;

Was read a first time; and,

On motion by Mr. Buckles,

The rules were suspended, and the bill referred to a select committee consisting of Messrs. Buckles, Hardin and Stewart.

No. 161. A bill providing for the election of township assessors in the counties of Dearborn, Switzerland and Ohio;

Was read a first time, and

On motion by Mr. Millikin,

The rules were suspended, the bill read a second time, when

Mr. Millikin proposed the following amendment:

Amend so as to give the assessor of Dearborn one dollar and fifty cents per day.

Which amendment was adopted.

On motion by Mr. Morrison,

The bill was laid upon the table.

No. 162. A bill to amend an act to incorporate the Rushville and Lawrenceburgh Rail Road Company;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

No. 163. A bill to extend the time of payment to purchasers of school lands, and for other purposes;

Was read a first time; and,

On motion,

The rules were suspended, and the bill read a second time, and referred to the committee on education.

No. 164. A bill to locate a State Road in the counties of La-grange and Elkhart;

Was read a first time, and,

On motion,
The rules were suspended, the bill read a second time, and,
On motion,
The rules were further suspended, and the bill read a third time, and passed.
No. 165. A bill to prevent the poisoning of fish in the county of Greene;
Was read a first time, and,
On motion by Mr. Rousseau,
The rules were suspended, the bill read a second time, and,
On further motion by Mr. Rousseau,
The rules were further suspended, and the bill read a third time, and passed.
No. 166. A bill to locate a State Road from Wabash, in Wabash county, via Bluffton, in Wells county, to Fort Recovery, in Ohio;
Was read a first time, and,
On motion by Mr. Milligan,
The rules were suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Milligan, Randall, and Hubbard.
No. 170. A joint resolution relative to lands selected by the State of Indiana for Canal purposes;
Was read a first time, and,
On motion,
The rules were suspended, and the joint resolution read a second time, and,
On further motion,
The rules were further suspended, the joint resolution read a third time and passed.
No. 171. A bill for the relief of the persons therein named;
Was read a first time, and,
On motion by Mr. Sleeth,
The rules were suspended, and the bill read a second time, and,
On motion by Mr. Osborn,
The bill was referred to the committee on the judiciary, with instructions to notify Stephen Major, of Indianapolis, of the pendency of said bill.
No. 172. A bill for the relief of Widows;
Was read a first time, and,
On motion,
The rules were suspended, the bill read a second time, and,
On further motion,
The rules were further suspended, the bill read a third time, and passed.
And bill,
No. 173. A bill to locate a State road in the counties of Shelby and Rush;
Was read a first time, and,

On motion,
The rules were suspended, the bill read a second time, and,
On further motion,
The bill was referred to the committee on roads.
And joint resolution,
No. 175. A joint resolution in relation to the Lafayette, Montecello, and Michigan City Rail Road.
Was read a first time, and,
On motion,
The rules were suspended, the joint resolution read a second time, and,
On further motion,
The rules were further suspended, the joint resolution read a third time, and passed.
And joint resolution,
No. 176. A joint resolution on the subject of the three per cent. fund;
Was read a first time, and,
On motion by Mr. Henry,
The rules were suspended, the joint resolution read a second time, and referred to the committee on federal relations.
And bill,
No. 178. A bill repealing the several acts exempting soldiers of the Mexican War from the payment of taxes;
Was read a first time, and,
On motion,
The rules were suspended, the bill read a second time, and,
On further motion,
The rules were further suspended, the bill read a third time, and passed.
And bill,
No. 180. A bill for the relief of Solomon May, Sr.
Was read a first time, and,
On motion,
The rules were suspended, the bill read a second time, and,
On motion,
The rules were further suspended, the bill read a third time, and passed.
And bill,
No. 181. A bill to change the venue in certain cases therein named, from the county of Marion to the county of Knox;
Was read a first time, and,
On motion,
The rules were suspended, the bill read a second time, when,
On motion by Mr. Walpole,
The bill was indefinitely postponed.
And bill,
No. 182. A bill to provide for the election of township assessors in the county of Scott;

Was read a first time, and,

On motion, The rules were suspended, the bill read a second time, and,

On further motion, The rules were further suspended, the bill read a third time, and passed.

And bill,

No. 183. A bill authorizing the letting the water power at the Northport feeder dam, in Noble county, and for other purposes ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

And bill,

No. 185. A bill relative to the jurisdiction of Justices of the Peace in criminal cases;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 186. A bill relative to official misconduct of county Commissioners ;

Was read a first time ; and,

On motion,

The rules were suspended, the bill read a third time, and referred to the committee on the judiciary.

No. 187. A bill in relation to the collection of Taxes in certain cases ;

Was read a first time ; and,

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on finance.

No. 189. A bill to amend an act, entitled "an act to incorporate the Henry county Turnpike Company. Approved, Dec. 5, 1848 ;

Was read a first time ; and,

On motion,

The rules were suspended, the bill read a second time ; when, Mr. Holloway offered the following amendment :

Amend, so as to confer the same privileges upon the "Wayne County Turnpike Company ;"

Which amendment was adopted ; and,

On motion by Mr. Holloway,

The rules were suspended, the bill read a third time and passed. Whereupon,

Mr. Holloway moved to amend the title, as follows :

After the word "Company," add the following words, "and the Wayne County Turnpike Company ;"

Which amendment was adopted.

Mr. Davis asked and obtained leave to introduce the following bill :

No. 235. A bill to incorporate the Ohio Insurance Company ;

Was read a first time ; and,

On motion by Mr. Davis,

The rules were suspended, the bill read a second time, and referred to the committee on corporations.

Mr. Garver asked and obtained leave to introduce the following bill, entitled,

No. 236. A bill to establish an additional place for holding elections in the township of Delaware, Hamilton county ;

Was read a first time ; and,

On motion by Mr. Garver,

The rules were suspended, the bill was read a second time ; and,

On further motion by Mr. Garver,

The rules were further suspended and the bill read a third time and passed.

Mr. Cassatt asked and obtained leave to introduce the following bill, entitled,

No. 234. A bill to incorporate the town of Wabash ;

Was read a first time ; and,

On motion by Mr. Cassatt,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Cassatt,

The rules were further suspended, the bill read a third time, and passed.

Mr. Sleeth made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have compared bills of the Senate, Nos. 86, 81, and 84, with the engrossed bills, and find them correctly enrolled.

On motion by Mr. Herod,

Leave of absence was granted to Mr. Martin, during the remainder of the session.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the

Senate, that the Speaker has signed the following enrolled acts of the Senate :

No. 81. An act to incorporate the Madison Marine Insurance Company.

No. 84. An act to incorporate the Rockport and Washington Rail Road Company ;

Which I am directed to bring to the Senate, for the signature of the President thereof.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill of the Senate without amendment :

No. 87. An act to amend an act entitled "an act to authorize the construction of plank or coal roads," approved 16th February, 1848.

Mr. Milligan asked and obtained leave to make a report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred House bill No. 174, relative to attaching additional territory to the county of Blackford, have had the same under consideration, and have directed me to report the bill back to the Senate with the following amendment.

Amendment referred to in the above report :

Amend by striking out from the enacting clause, and inserting the following :

That all the territory which now belongs to the county of Delaware, and included within the following boundary, to-wit: commencing at the southeast corner of section one, township twenty-two, north of range eleven east, running from thence south to the south-east corner of section thirteen, township and range aforesaid, thence west to the southwest corner of section fifteen, township twenty-two north, and range nine east, thence north to the southwest corner of section three, township and range last before mentioned, and from thence east to the place of beginning, be and the same is hereby attached to and shall hereafter constitute a part of the county of Blackford.

SEC. —. That all officers residing within said territory hereby attached to the county of Blackford, shall serve out their regular term of office in and for the county of Blackford, as though no change had been made in the territory of said county.

Section —. No suit or action commenced and yet pending either in law or equity, in said county of Delaware, in any of the courts thereof, shall be in anywise affected by the provisions of this act, but the same shall be proceeded in to final judgment and execution, as though no change had been made in the boundary thereof. That the board doing county business in said county of Blackford be and they are hereby invested with full power and authority, at their first meeting, or any subsequent meeting after the passage of this act, to divide, enlarge, and lay off said county into as many townships as the public good requires, and may change and alter the districts for county commissioner, whenever the same becomes necessary to secure equal justice throughout said county.

SEC. —. The taxes heretofore levied on and within said territory, and remaining unpaid, shall be collected by the proper officers of the county of Delaware, as though no change had been made in the boundaries of said county.

The question being upon the adoption of the amendment, Mr. Buckles moved to indefinitely postpone the bill and pending amendments,

And the ayes and noes being demanded by two Senators they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Garver, Hardin, Herod, Holloway, Marsh, Porter, and Sleeth—9.

Those who voted in the negative are,

Messrs. Adams, Cassatt, Coates, Conduit, Davis, Day, of St. Joseph, Ellis, English, Evans, Graham, Green, Harvey, Hendricks, Henry, Hubbard, Huffstetter, James, McCarty, Milligan, Miller, Montgomery, Morrison, Orth, Osborn, Randall, Read, Robinson, Rousseau, Simpson, Stewart, Taber, and Waters—32.

So the bill and pending amendments were not indefinitely postponed.

The question again recurring upon the adoption of the amendment,

Mr. Buckles moved the following amendment to the amendment:

Amend by adding the following :

And the district of country within the following boundaries shall form and constitute a part and parcel of the said county of Blackford, to-wit: Beginning at the south-east corner of said county of Blackford, and running thence south along the east line of Delaware county three and one-half miles, thence east four miles, thence north eighteen miles, thence west to the north-east corner of said county of Blackford.

MR. PRESIDENT :

The committee on corporations to which was referred bill of the Senate, No. 235, to incorporate the Ohio Insurance Company, have had the same under consideration, and have instructed me to report said bill back to the Senate and recommend its passage.

And,

On motion by Mr. Davis,
The rules were suspended, and the bill considered as engrossed, read a third time and passed.

By Mr. Harvey, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 223, entitled, "A bill to incorporate the Indianapolis and Danville Railroad Company," have considered the same and made one amendment thereto, and instructed me to report said bill back to the Senate, with said amendment, and when so amended, recommend its passage :

Amendment referred to in the above report—

Amend by adding to the 6th section the following :

"And the Legislature reserves the right to amend or repeal this act whenever said Company shall violate any of the provisions of this act ;"

Which amendment was adopted, the report concurred in, and,

On motion by Mr. Harvey,

The rules were suspended, the amendment considered as engrossed, the bill read a third time, and passed.

By Mr. Millikin, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations to whom was referred bill of the Senate, No. 215, have had the same under consideration, and directed me to report it back to the Senate and recommend its passage :

Which report was concurred in, and,

The bill ordered to be engrossed for a third reading.

Also, by Mr. Millikin from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 220, have had the same under consideration, and made

the following amendment, and when adopted recommend its passage :

Amendment referred to in the above report ;

Add the following section—

"Sec. —. Said corporation may organize by the election of directors, when ten thousand dollars of capital stock have been subscribed, and toll gates may be erected when five continuous miles of said road shall have been made :"

Which amendment was adopted, and,

On motion,

The rules were suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Montgomery, from the committee on the benevolent institutions of the State :

MR. PRESIDENT :

The committee on benevolent institutions of the State to whom was referred bill No. 143, of the House, entitled "A bill to amend an act for the government of the Indiana Hospital for the Insane," have had that subject under consideration, and have directed me to report the bill back to the Senate, without amendment, and recommend its passage.

And,

On motion by Mr. Montgomery,

The rules were suspended, the bill read a third time, and passed.

REPORTS FROM SELECT COMMITTEES.

By Mr. Day of St. Joseph, from a select committee :

MR. PRESIDENT :

The select committee to whom was referred House bill, No. 244, have had the same under consideration, and directed me to report it back to the Senate, and respectfully recommend its passage ;

When Mr. Evans moved the following amendment to the bill :

Strike out the words "and none others" in the 8th section ;

Which amendment was adopted, and,

On motion by Mr. Day of St. Joseph,

The rules were suspended, the amendment considered as engrossed, the bill read a third time, and passed.

By Mr. Conduit, from a select committee :

MR. PRESIDENT :

The select committee to which was referred the petitions of several hundred citizens of Morgan county, asking the restoration of the law authorizing the assessment of a tax on real estate in said county for road purposes, have had the subject under consideration, and have directed me to report the following bill, and recommend its passage :

No. 238. A bill to revive the law authorizing the assessment of a tax on real estate in the county of Morgan for road purposes ;

Was read a first time, and,

On motion by Mr. Conduit,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Conduit,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Orth from a select committee :

MR. PRESIDENT :

The select committee to which was referred "a bill to locate a State road in the counties of Jasper, White and Tippecanoe," have had the same under consideration and instructed me to report the same to the Senate with one amendment, and upon its adoption, to recommend its passage ;

Amend by adding the following proviso to the 4th section :

"*Provided, however,* That if the County Commissioners in the said counties of White or Jasper, believe the road herein contemplated will not be of public utility in either the counties of White or Jasper, and so decide in their official capacity, then and in that case, the said road shall not be laid out and established in said counties as herein contemplated."

Which amendment was adopted ; and,

The bill passed.

By Mr. Orth from a select committee ;

MR. PRESIDENT :

The select committee to which was referred the petition of sundry citizens of Tippecanoe county, praying for an act incorporating a company to construct a bridge across Wild Cat creek in said county, have had the same under consideration and instructed me to report the following bill, and respectfully recommend its passage ;

No. 239. A bill to incorporate the Wild Cat Bridge Company ;

Was read a first time, and,

On motion by Mr. Orth,
The rules were suspended, the bill read a second time, and referred to the committee on corporations.

By Mr. Taber from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill of the House, No. 242, fixing the times of holding Courts in the Eighth Judicial Circuit, have had the same under consideration, and have directed me to report it back with three amendments, and on their adoption, to recommend its passage ;

Amendments referred to in the foregoing report :

1st. Amend the first section by striking out all after the word "Fulton," in the fourth line from the bottom, and insert the following :

"In the county of Jasper on the Mondays succeeding the terms in the county of Pulaski ; in the county of White on the Mondays succeeding the terms in the county of Jasper ; in the county of Carroll on the Mondays succeeding the terms in the county of White ; in the county of Howard on the Mondays succeeding the terms in the county of Carroll.

2d. Amend by adding the words "Jasper and Howard," after the word "White," in the sixth line from the top.

3d. Strike out the 4th section."

Which amendments were adopted, and the report concurred in,

On motion by Mr. Taber,

The rules were suspended, the amendment considered as engrossed, the bill read a third time, and passed.

When Mr. Taber moved the following amendment to the title :

Strike out the words, "and to reduce the same ;"

Which amendment was adopted.

By Mr. Hendricks from a select committee :

MR. PRESIDENT :

The select committee to which was referred Senate bill, No. 206, entitled a bill for the relief of George N. Waite, have had the same under consideration, and have directed me to report the same back, and recommend its passage ;

When Mr. Orth moved to lay the bill upon the table, and,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Coates, Day, of Kosciusko, Dole, Ellis, Evans,

Harvey, Herod, Huffstetter, Malott, Martin, McCarty, Morrison, Orth, Porter, Robinson, Sleeth, and Stewart—18.

Those who voted in the negative are,

Messrs. Adams, Buckles, Cassatt, Conduit, Davis, Day, of St. Joseph, English, Garver, Graham, Green, Hardin, Hendricks, Holloway, Hubbard, Marsh, Millikin, Milligan, Miller, Montgomery, Read, Rousseau, Simpson, Taber, Walpole, and Waters—25.

So the bill was not laid upon the table.

Whereupon the bill was ordered to be engrossed for a third reading.

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the Senate :

No. 87. An act to amend an act, entitled "an act to authorize the construction of Plank and Coal roads. . . Approved, Feb. 16, 1848 ;

Which I am directed to bring to the Senate, for the signature of the President thereof.

The following message was received from the Governor, by Mr. Carr, his private Secretary :

MR. PRESIDENT :

I am directed by the Governor, to inform the Senate, that he has this day, approved and signed, bill,

No. 20. An act authorizing the establishment of additional branches of the State Bank of Indiann.

Which originated in the Senate.

Mr. Hamrick made the following report, from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have, this day, presented to the Governor, for his approval and signature, bills of the Senate, No. 84 and 87.

The following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the House :

No. 26. An act to authorize the Judge of the probate court of St. Joseph county, to grant and try writs of Habeas Corpus and for other purposes.

No. 102. An act to regulate the times of holding courts in the fifth Judicial circuit.

No. 240. An act authorizing the Auditor of Clinton county, to make a deed in a certain case.

No. 233. An act levying a tax on the inhabitants of the town of Marion and the additions thereto ; and upon persons owning real estate therein.

No. 197. An act to amend an act, entitled "an act to authorize the election of a Justice of the Peace and a Constable, in the town of New Trenton, in the county of Franklin."

Which I am directed to bring to the Senate, for the signature of the President thereof.

On motion by Mr. Milligan,

The Senate resumed the consideration of House bill, entitled,

No. 174. A bill defining the boundaries of the county of Blackford.

The question being upon the adoption of the amendment proposed by Mr. Buckles, to the amendment proposed by the select committee ; when,

On motion by Mr. Milligan,

The amendment to the amendment was laid upon the table.

The question again recurring upon the adoption of the amendment,

When Mr. Buckles moved the following amendment to the amendment :

Strike out after the enacting clause and insert the following :

"That it shall be the duty of the qualified voters of Delaware county to determine at the next annual election, whether they will consent to having a portion of the territory of said county attached to the county of Blackford. It shall be the duty of the inspector of elections in the several townships in said county at said election to ask each voter the following question, "are you for or against attaching any portion of the county of Delaware to the county of Blackford ?" The answer to which said inspector shall cause the clerks of said elections to take down in a column provided for that purpose."

It shall be the duty of said inspector to return said "answer" to the board of canvassers which shall by them be returned to the clerk of the Circuit Court, and by said clerk to the Secretary of State, as the returns of elections for State officers are made.

This act to take effect and be in force from and after its passage.

The question being upon the adoption of the amendment.

When Mr. Milligan moved to lay the amendment to the amendment on the table;

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Coates, Conduit, Davis, Day, of Kosciusko, Day, of St. Joseph, Ellis, Evans, Graham, Hamrick, Hubbard, Huffstetter, James, Malott, Milligan, Miller, Montgomery, Morrison, Orth, Read, Simpson, Stewart, Taber, and Walpole—24.

Those who voted in the negative are,

Messrs. Beard, Buckles, Cassatt, Garver, Green, Hardin, Henry, Herod, Holloway, Marsh, Millikin, Porter, Robinson, Sleeth, and Waters—15.

So the amendment to the amendment was laid on the table.

The question again recurring upon the adoption of the amendment to the bill, when,

Mr. Buckles offered the following amendment to the amendment:

Provided, However, that this act shall not take effect and be in force until a majority of the qualified voters of the counties of Blackford and Delaware shall have decided by a vote in favor thereof.

The question being upon the adoption of the amendment to the amendment and, before the question was taken,

On further motion by Mr. Porter,

The Senate adjourned.

Two o'clock, P. M.

The Senate met.

Mr. Stewart asked and obtained leave to introduce the following bill:

No. 240. A bill to incorporate the Indiana Mining Company;

Which was read a first time, and,

On motion by Mr. Stewart,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Stewart,

The rules were further suspended, and the bill considered as engrossed, and read a third time and passed.

Mr. Day of St. Joseph asked obtained leave to introduce the following bill:

No. 241. A bill to amend section 89, of article 7, of Chapter 12, of the Revised Statutes of 1843;

Which was read a first time, and,

On motion by Mr. Day of St. Joseph,

The rules were suspended, the bill read a second time; and,

On further motion by Mr. Day of St. Joseph,

The rules were further suspended, the bill considered as engrossed, was read a third time, and passed.

Mr. Harvey asked and obtained leave to introduce the following bill, entitled,

No. 242. A bill to extend the provisions of a certain act therein named;

Which was read a first time, and,

On motion by Mr. Harvey,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

Mr. Cassatt asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred the petition of sundry citizens of Wabash county, relative to retailing spirits in said county, have had that subject under consideration and have directed me to report the following bill, in accordance with the prayers of said petitioners, and recommend its passage:

No. 243. A bill to amend an act entitled, "an act to authorize the people of the several townships of the several counties, to prohibit the retailing of Spirituous Liquors, so far as the same relates to the county of Wabash;

Was read a first time; and,

On motion by Mr. Cassatt,

The rules were suspended, the bill read a second time; and,

On further motion by Mr. Cassatt,

The rules were further suspended and the bill considered as engrossed, read a third time and passed.

Mr. Adams asked and obtained leave to introduce the following bill:

No. 244. A bill to authorize the board of commissioners of Monroe county to make additional allowance to the Probate Judge of said county;

Which was read a first time; and,

On motion by Mr. Adams,

The rules were suspended and the bill read a second time; and,

On further motion by Mr. Adams,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Cassatt, asked and obtained leave to introduce the following joint-resolution, entitled :

No. 245. A joint-resolution in relation to the Indianapolis and Peru Railroad ;

Which was read a first time ; and,

On motion by Mr. Cassatt,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Cassatt,

The joint-resolution considered as engrossed, read a third time and passed.

Mr. Ellis asked and obtained leave to introduce the following joint-resolution :

No. 246. A joint resolution relative to the Terre Haute Draw-bridge Company ;

Which was read a first time ; and,

On motion by Mr. Ellis,

The rules were suspended, the joint-resolution read a second time ; when,

Mr. Orth moved the following amendment :

Add the following proviso to the first section :

Provided, That should said company construct a sufficient draw in said bridge, of the width of at least fifty-five feet, on or before the first day of November next, the execution on said judgment shall be staid forever ;

Which amendment was adopted ; when,

Mr. McCarty moved the following amendment :

Add the following :

SEC. . That said court by inquest of a jury of twelve men, find whether said bridge does obstruct the navigation of said river, and if said inquest find that said bridge does obstruct the same, that said court by the Sheriff of said county, notify said corporation of said finding, and that said corporation within — days, so alter said bridge, or that said court proceed to judgement and execution on said *scire facias*.

And the question being upon the adoption of the amendment,

And the ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Dole, English, Green, Henry, Malott, McCarty, Morrison, Randall, Robinson, Sleeth, and Stewart—12.

Those who voted in the negative are,

Messrs. Conduit, Davis, Day, of St. Joseph, Ellis, Evans, Graham, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Huffstetter, Marsh, Martin, Millikin, Miller, Montgomery, Orth, Osborn, Porter, Read, Simpson, Taber, and Waters—25.

So the amendment to the joint-resolution was not adopted ;

When,

Mr. Henry moved to refer the bill to a select committee with instructions,

To amend said bill so as to first authorize proceedings to ascertain whether said bridge is an obstruction to the navigation of said river ;

Mr. Dole moved to lay the joint-resolution upon the table,

And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Dole, English, Garver, Green, Hardin, Harvey, Henry, Huffstetter, Marsh, Malott, McCarty, Morrison, Randall, Robinson, Sleeth, and Stewart—17.

Those who voted in the negative are,

Messrs. Beard, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Ellis, Evans, Graham, Hendricks, Herod, Holloway, Houghton, Hubbard, Martin, Millikin, Montgomery, Orth, Osborn, Porter, Read, Rousseau, Simpson, Taber, and Waters—24.

So the said joint resolution was not laid upon the table ; when Mr. Ellis called for the previous question ;

And upon seconding the call for the previous question,

The ayes and noes being demanded by two Senators, they were ordered.

Those whose voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Ellis, Evans, Graham, Hardin, Hendricks, Herod, Holloway, Houghton, Hubbard, James, Marsh, Malott, Martin, Millikin, Orth, Rousseau, Simpson, Sleeth, Taber, and Waters—25.

Those who voted in the negative are,

Messrs. Adams, Beard, Coates, Dole, English, Garver, Green, Harvey, Henry, McCarty, Montgomery, Morrison, Osborn, Porter, Randall, Robinson, Stewart, and Walpole—18.

So the call for the previous question was seconded.

The Senate having decided to have the main question then put, The President *pro tem.* stated that the main question would be, Shall the joint resolution be engrossed for a third reading on to-morrow?

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Ellis, Evans, Graham, Hardin, Hendricks, Herod, Holloway, Houghton, Hubbard, James, Marsh, McCarty, Miller, Montgomery, Orth, Osborn, Porter, Rousseau, Simpson, Taber, Walpole and Waters—29.

Those who voted in the negative are

Messrs. Adams, Dole, English, Garver, Green, Harvey, Henry, Malott, Millikin, Morrison, Randall, Robinson, Sleeth, and Stewart—14.

So the joint resolution was ordered to be engrossed for a third reading.

The Senate then resumed the consideration of bill of the House, No. 174.

The question being upon the adoption of the amendment to the amendment,

Mr. Milligan moved to lay the amendment to the amendment upon the table.

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adam, Coates, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Ellis, Evans, Graham, Hendricks, Houghton, Hubbard, Huffstetter, James, Malott, Milligan, Miller, Morrison, Orth, Osborn, Randall, Rousseau, Simpson, Stewart, Taber, Walpole, and Waters—27.

Those who voted in the negative are,

Messrs. Beard, Buckles, Dole, Garver, Hardin, Harvey, Henry, Holloway, Marsh, Millikin, Montgomery, Porter, Robinson, and Sleeth—14.

So the amendment to the amendment was laid upon the table.

The question being upon the adoption of the amendment,

Mr. Buckles moved the following amendment to the amendment :

Add the following proviso :

Provided, however, that this act shall not take effect and be in force until a majority of two-thirds of all the legally qualified voters of said territory shall have decided in favor thereof, by a vote given at an election held for that purpose ; and *provided*, further, that said voters are hereby authorized to hold an election for the purpose aforesaid, at any time and place they may agree upon, and the necessary select officers of said election, and the return thereof shall in all other respects be governed and controlled by the laws now in force in this State upon the subject of general elections.

The question being upon the adoption of the amendment to the amendment,

Mr. Milligan moved to lay the same upon the table,

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cassatt, Coates, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Ellis, Evans, Graham, Herod, Houghton, Hubbard, Huffstetter, James, Malott, Milligan, Miller, Montgomery, Morrison, Orth, Osborn, Simpson, Stewart, Walpole, and Waters—27.

Those who voted in the negative are,

Messrs. Buckles, Dole, Garver, Green, Hardin, Hendricks, Holloway, Marsh, Martin, McCarty, Millikin, Porter, Robinson and Sleeth—14.

So the amendment to the amendment was laid upon the table.

When,

On motion,

The bill and pending amendments were referred to a select committee consisting of,

Messrs. Milligan, Buckles, and Walpole.

When

The President *pro tem.* adjourned the Senate until to-morrow morning at 9 o'clock.

THURSDAY MORNING, JANUARY 11, 1849.

The Senate met.

On motion by Mr. Osborn,
The reading of the journal was dispensed with.

Mr. Osborn asked and obtained leave to introduce the following joint resolution :

No. 247. A joint resolution in relation to the improvement of the Kankakee and Iroquois rivers in the States of Indiana and Illinois.

Was read a first time, and,

On motion by Mr. Osborn,

The rules were suspended, the joint resolution read a second time, and,

On further motion by Mr. Osborn,

The rules were further suspended, the joint resolution considered as engrossed, read a third time and passed.

Mr. Montgomery asked and obtained leave to introduce the following joint resolution :

No. 248. A joint resolution on the subject of Mary Griffith, an Indian woman, transferring her land ;

Which was read a first time, and,

On motion by Mr. Montgomery,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Montgomery,

The rules were further suspended and the bill considered as engrossed, read a third time and passed.

Mr. Taber asked and obtained leave to introduce the following bill, entitled,

No. 249. A bill to authorize the county commissioners of Cass county to increase the highway tax in said county ;

Which was read a first time, and,

On motion by Mr. Taber,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Taber,

The rules were suspended, the bill considered as engrossed, read a third time and passed.

Mr. Harvey asked and obtained leave to introduce the following bill :

No. 250. A bill to authorize merchants to vend clocks ;

Which was read a first time, and,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Hubbard,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Hubbard asked and obtained leave to introduce the following bill :

No. 251. A bill to amend an act entitled " An act to incorporate the Fairview Academy in Rush county ;

Which was read a first time, and,

On motion by Mr. Hubbard,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Hubbard,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Holloway asked and obtained leave to introduce the following bill :

No. 252. A bill to amend an act entitled " An act to incorporate the Wayne Turnpike Company ;"

Which was read a first time, and,

On motion by Mr. Holloway,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Holloway,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Adams asked and obtained leave to introduce the following bill :

No. 153. A bill defining the duty of the board of commissioners of the county of Monroe ;

Which was read a first time, and,

On motion by Mr. Adams,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Adams,

The rules were further suspended, and the bill considered as engrossed, read a third time and passed.

Mr. Stewart asked and obtained leave to introduce the following bill :

No. 254. A bill to regulate agencies of Foreign Insurance Companies ;

Which was read a first time, and,

On motion by Mr. Graham,

The rules were suspended, the bill read a second time, when,

Mr. Osborn moved to amend as follows :

Exempt the counties of Lake, Porter and Laporte, from the provisions of said bill ;

Which amendment was adopted, when,

Mr. Randall moved the following amendment :

Exempt the counties of Allen, Adams and Wells, from the provisions of said bill ;

Which amendment was adopted, when,

Mr. Hubbard moved the following amendment :

Exempt the county of Rush from the provisions of the bill ;

Which amendment was adopted, when,

Mr. Taber moved the following amendment :

Exempt the county of Cass from the provisions of the bill ;
Which amendment was adopted, when,

On motion,

The bill was referred to the committee on the judiciary.

Mr. Graham asked and obtained leave to introduce the following bill :

No. 155. A bill for the relief of Roswell Langdon of Perry county ;

Which was read a first time, and,

On motion by Mr. Graham,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Graham,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Hardin asked and obtained leave to make the following report from the committee on roads :

MR. PRESIDENT :

The committee on roads, to which was referred a petition of citizens of the counties of Fountain and Tippecanoe, praying the location of a State road from Sargent's Ferry to Lafayette, likewise a remonstrance against such road, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage :

No. 256. A bill to locate a State road in the counties of Fountain and Tippecanoe ;

Was read a first time, and,

On motion by Mr. Hardin,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Hardin,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Hendricks asked and obtained leave to introduce the following bill :

No. 257. A bill to amend an act, entitled "An act to incorporate the Madison and Napoleon Turnpike Company ;

Which was read a first time, and,

On motion by Mr. Hendricks,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Hendricks,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Hendricks asked and obtained leave to introduce the following bill :

No. 258. A bill to authorize the transfer of cases pending in the probate to the circuit courts ;

Which was read a first time, and,

On motion by Mr. Hendricks,
The rules were suspended, the bill read a second time, when,
Mr. Hamrick moved the following amendment :

So amend the bill as to make it applicable to "Putnam county" only.

Which amendment was adopted, when,

On motion by Mr. Hendricks,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Whereupon,

Mr. Hendricks moved the following amendment to the title of said bill :

So amend the title as to make it applicable to "Putnam county" only ;

Which amendment was adopted.

Mr. Hendricks asked and obtained leave to introduce the following bill :

No. 259. A bill to increase the pay of the probate judges of certain counties therein named ;

Which was read a first time, and,

On motion by Mr. Hendricks,

The rules were suspended, the bill read a second time, when,
Mr. Orth moved the following amendment :

Add the "county of Clark ;"

Which amendment was adopted, when,
Mr. Marsh moved the following amendment :

Add the "county of Steuben ;"

Which amendment was adopted, when,
Mr. Robinson moved the following amendment :

Add the "county of Decatur ;"

Which amendment was adopted, and,

On motion by Mr. Hendricks,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Henry asked and obtained leave, to introduce the following bill :

No. 260. A bill relative to issuing and returning of execution ;

Which was read a first time, and,

On motion by Mr. Henry,

The rules were suspended, the bill read a second time, and referred to the committee on the Judiciary.

Mr. Holloway asked and obtained leave, to make the following report from a select committee.

MR. PRESIDENT :

The select committee to which was referred, the petition of sundry citizens of Richmond asking the privilege of restraining the sale of Malt Liquors, Wine or Cider, have had the same under their consideration, and have authorized me to report the following bill, and recommend its passage :

No. 261. A bill to amend an act entitled, an act to incorporate the city of Richmond ;

Was read a first time, and passed to a second reading.

Mr. Milligan asked and obtained leave, to introduce the following bill :

No. 262. A bill to improve the breed of Horses in the county of Randolph ;

Was read a first time, and,

On motion by Mr. Milligan,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Milligan,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Milligan asked and obtained leave, to introduce the following bill :

No. 263. A bill to authorize Wilson T. Way, and Hannah Way, to file a bill in chancery, in the Randolph Circuit Court ;

Was read a first time, and,

On motion by Mr. Milligan,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Milligan,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Waters asked and obtained leave, to introduce the following bill :

No. 264. A bill on the subject of the Wabash and Erie Canal lands, east and west of Tippecanoe, and for other purposes ;

Was read a first time, and,

On motion by Mr. Waters,

The rules were suspended, the bill read a second time, when,

Mr. Orth moved to suspend the rules, and read the bill a third time now, and,

The ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Cassatt, Conduit, Davis, Day of St. Joseph, English, Hendricks, Herod, Holloway, Houghton, Hubbard, Martin, Millikin, Montgomery, Orth, Osborn, Randall, Read, Robinson, Simpson, Stewart, Taber, Walpole and Waters—23.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Coates, Evans, Garver, Graham, Hamrick, Harvey, Henry, Huffstetter, James, Milligan, Miller, Morrison, Porter, and Sleeth—17.

So the rules were not suspended, and the bill was ordered to be engrossed for a third reading.

Mr. Waters asked and obtained leave, to introduce the following bill :

No. 262. A bill for the relief of the heirs of Seth Bacon, deceased.

Which was read a first time, and,

On motion by Mr. Waters,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Waters,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Waters asked and obtained leave, to introduce the following bill :

No. 266. A bill relative to a bridge over Deer creek, in Carroll county ;

Which was read a first time, and,

On motion by Mr. Waters,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Waters,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Sleeth asked and obtained leave, to make the following report from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to whom was referred, a petition of sundry citizens of Henry county, Indiana, in reference to the fees and salaries of the different officers, of said county, have had that subject under consideration, and have directed me to report the following bill in relation thereto—as drawn up and presented by said petitioners—and recommend its passage :

No. 267. A bill relative to the fees of the officers of Henry county ;

Which was read a first time, and,

On motion by Mr. Seeth,

The rules were suspended, the bill read a second time, and referred to a select committee, consisting of Messrs. Evans, Buckles and Herod.

Mr. Stewart asked and obtained leave to make the following report from the committee on education :

MR. PRESIDENT :

The committee on education to which was referred bill No. 70 of the Senate, entitled a bill declaring the meaning of the 10th section of an act approved January 13, 1845, have directed me to report the same back to the Senate without amendment, and recommend its passage ;

No. 70. A bill declaring the meaning of the 10th section of an act approved January 13th, 1845 ;

And,

On motion by Mr. Robinson,
The bill was laid upon the table.

Mr. Walpole asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which bill of the House No. 72, entitled "a bill to incorporate the Madison County Hydraulic and Manufacturing Company," have had the same under consideration, and directed me to report the same back to the Senate, and recommend its passage ;

Whereupon,

The bill was read a third time and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bill thereof :

No. 332. An act to incorporate the Rockville and Montezuma Plank Road Company ;

In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and,

On motion by Mr. Hamrick,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Hamrick,

The rules were further suspended, the bill read a third time, and passed.

Mr. Davis asked and obtained leave to present the following petition :

The petition of Lyman Leslie, in relation to compensation for services ;

Which was referred to the committee on claims.

Mr. Adams asked and obtained leave to present the petition of William B. Mullins asking for a divorce ;

Which was referred to the committee on the judiciary.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment :

No. 107. An act to incorporate the Washington Fire Company No. 2 ;

No. 115. An act to incorporate the Fort Wayne and Southern Rail Road Company ;

No. 117. An act for the relief of Martin Fitzpatrick ;

No. 129. An act to incorporate the Lawrenceburgh and Aurora Bridge Company ;

No. 139. An act for the relief of William C. A. Bain, of Scott county ;

No. 146. An act to amend an act entitled "an act to incorporate the town of Mooresville, in Morgan county," approved February 12, 1841, so as to require venders of spirituous liquors to obtain a license of the board of trustees ;

No. 147. An act to change the names of the towns of Columbia and Smithland, and for other purposes ;

No. 150. An act for the relief of Robert Kennedy and Adam Hartman ;

No. 151. An act amendatory of the act incorporating the Junction Rail Road Company ;

No. 155. An act to change the name of John F. Brown, to that of John Floyd ;

No. 157. An act to amend section 38, of chapter 19, of the Revised Statutes of 1843, and for other purposes, so far as relates to the county of Lawrence ;

No. 174. An act to provide for the appointment of Overseers of the Poor in Gibson county ;

No. 175. An act to repeal an act therein named, relating to St. Joseph county ;

No. 177. An act to legalize certain proceedings in the Dearborn Circuit Court ;

No. 181. An act to change the mode of selecting Grand Jurors in the county of Orange ;

No. 183. An act authorizing the re-appraisement of certain school lands in Clinton county ;

No. 197. An act to repeal so much of an act entitled "an act to encourage the raising of sheep and hogs, and to increase the revenue of the State and the wealth of the people," as relates to Jasper county.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate, to the following engrossed bills of the House:

No. 44. An act authorizing the Recorders of Franklin and Switzerland counties to make out a general index;

No. 104. An act amendatory of an act entitled "an act to incorporate the Michigan Road Company," approved January 13, 1845, and an act entitled "an act to amend an act entitled "an act to incorporate the Michigan Road Company," approved January 13, 1845," approved January 19, 1846;

No. 202. An act to amend an act entitled "an act to incorporate the Terre Haute and Richmond Rail Road Company," approved January 26, 1847, and an act amendatory thereto, approved February 16, 1848;

Without amendment.

Mr. Beard asked and obtained leave, to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred bill No. 14 of the House to ascertain and establish the boundaries of certain roads in the counties of Warren and Montgomery have had that subject under consideration, and have made one amendment thereto, and have directed me to report the same to the Senate, and upon its adoption, recommend its passage:

Amend the 1st section in the 7th line by striking out these words (the duty of) and insert, lawful for the board doing county business for said counties to cause;

Which amendment was adopted,

The report concurred in, and the bill read a third time, and passed.

Mr. Hardin asked and obtained leave to make the following report from the committee on roads:

MR. PRESIDENT:

The committee on roads, to whom was referred a bill of the House No. 173, entitled a bill to locate a State road in the counties of Shelby and Rush," have had the same under consideration, and have instructed me to report the same to the Senate, and recommend its passage;

And the bill was read a third time and passed.

On motion by Mr. Marsh,

The vote on the motion to indefinitely postpone bill of the House entitled,

No. 56. A bill to prevent treasurers and other officers from receiving constructive per centage;

Was reconsidered, when

Mr. Marsh moved the following amendment,

Add to the first section the words in the counties of Steuben, De Kalb, and Noble;

Which amendment was adopted, and,

On motion by Mr. Marsh,

The rules were suspended, and the amendment considered as engrossed, the bill read a third time and passed.

When Mr. Marsh moved the following amendment to the title,

Add after the word officers the words "in the counties of Steuben, Dekalb and Noble;"

Which amendment was adopted.

Mr. Rousseau asked and obtained leave to make the following report from the committee on military affairs:

MR. PRESIDENT:

The committee on military affairs to which was referred joint resolution of the Senate No. 136, entitled "a joint resolution in relation to certain official documents connected with the conduct of the second Indiana Regiment" have had the same under consideration, and have instructed me to report the same back to the Senate and respectfully recommend its passage;

And the joint resolution, was read a third time, and passed.

Mr. Sleeth asked and obtained leave to present the following petition of sundry citizens of Shelby and Bartholomew counties, praying the charter of a certain Rail Road Company therein named;

Which was referred to a committee on corporations.

Mr. Hamrick from the committee on enrolled bills made the following report:

MR. PRESIDENT:

The committee on enrolled bills have this day presented to the Governor, for his approval and signature, bills of the House Nos. 81, 243, 165, 178, 164, 247, 156, 155, 157, 51, 38, 7, and 5; also bills of the Senate Nos. 63 and 65.

Mr. Hendricks asked and obtained leave to make the following report from the committee on the judiciary;

MR. PRESIDENT:

The judiciary committee to whom was referred bill of the House No. 47, have had the same under consideration, and have directed me to report the same back to the Senate, and to say that in the

opinion of the committee, legislative action on the subject is inexpedient, and ask to be discharged from the further consideration of the subject;

Which report was concurred in, and

On motion,

The bill was laid on the table.

Mr. Hubbard asked and obtained leave to make the following report, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the Senate, No. 239, entitled "a bill to incorporate the Wild Cat Bridge company," have had the same under consideration, and directed me to report the same back to the Senate, and recommend its passage.

And the bill was read a third time and passed.

Mr. Stewart asked and obtained leave to make the following report, from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary, to which was referred Senate bill, No. 189, entitled a bill relative to Canal Land Scrip, have had the same under consideration and have directed me to report the same back for the further action of the Senate thereon.

Whereupon, said bill was recommitted to a select committee, consisting of,

Messrs. Taber, Osborn, and Cassatt.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am instructed by the House of Representatives to inform the Senate, that the House has passed an engrossed bill thereof, numbered 323, entitled an act fixing the fees of the Auditor of Switzerland county, in which the concurrence of the Senate, is respectfully requested :

No. 323. A bill fixing the fees of the Auditor of Switzerland county;

Was read a first time ; and,

On motion by Mr. Millikin,

The rules were suspended, the bill read a second time ; and

On further motion by Mr. Millikin,

The rules were further suspended, the bill read a third time and passed.

On motion by Mr. Millikin,

Bill of the House, entitled,

No. 161. A bill providing for the election of township Assessors in the counties of Dearborn, Switzerland, and Ohio ;

Was taken from the table, read a third time, and passed.

Mr. Morrison asked and obtained leave to make the following report from the committee on finance :

MR. PRESIDENT :

The committee on finance, to whom was referred bill of the House, No. 187, entitled an act in relation to the collection of taxes in certain counties, have had the subject under consideration and directed me to report the same back to the Senate, with one amendment, which being adopted, they recommend its passage:

Amendment : Add to the counties excepted in the first section, the counties of Orange and Lawrence.

Which amendment was adopted.

Whereupon,

Mr. Henry moved the following amendment :

Except the counties of Vigo, Sullivan, and Clay, from the provisions of the bill.

Which amendments were adopted ; when,

On motion by Mr. Harvey,

The bill was laid upon the table.

Mr. Henry asked and obtained leave to make the following report, from the committee on the judiciary :

MR. PRESIDENT :

The committee to whom was referred bill of the House, No. 113, entitled, "An act in relation to the real and personal estate of John Fischli, late of Jackson county, deceased, have had the same under consideration, and directed me to report the same back for the action of the Senate ;

When Mr. Davis moved the following amendment :

Add the following proviso to the first section—

Provided, That said complainant, or complainants, shall be required to prove the material allegations in said bill contained, by at least one competent witness ;

Which amendment was adopted.

Whereupon,

Mr. Ellis moved the following amendment :

Amend by inserting in the proper place—

Provided, Either party to such suit shall have the right of appeal, or writ of error within one year, to the supreme court, as is authorized by law in other cases ;

Which was adopted ; when,

Mr. Davis moved the following amendment :

Add to the sixteen section—

Provided, That nothing in this section contained shall be construed to divest the rights heretofore vested by virtue of any of the laws of this State, if any such have vested ;

Which was adopted.

Whereupon,

Mr. Davis moved the following amendment :

Strike out the thirteenth section and insert in lieu thereof the following section :

“ That in case said suit provided for in this act shall be decided against the complainant, or complainants, the money arising from the estate shall be paid into the State Treasury, to be by the State hereafter disposed of as the Legislature shall deem just ;”

Which was adopted ; when,

Mr. Davis moved to strike out the fourteenth section ;

Which amendment was adopted : And,

On motion by Mr. English,

The amendments were considered as engrossed, the bill read a third time, and passed.

On motion,

The Senate adjourned.

Two o'clock, P. M.

The Senate met.

Mr. Walpole asked and obtained leave to offer the following resolution :

Resolved, That the Trustees of the Deaf and Dumb Asylum be required to report to the Senate—

1st. From whom they purchased the land for said asylum.

2d. The quantity purchased, and the times of payment.

3d. By what law said Trustees have proceeded to build said Asylum.

4th. The estimated cost of said building when completed.

5th. Upon what authority do they draw from the Treasury money to pay arrearages for material and labor.

6th. With whom did they contract for stone, and the prices paid for the same, and where was said stone procured.

7th. What quantity of brick has been contracted for, and at what terms and times of payment, and who the contractor was for furnishing the same, and if there was any competition for the benefit of supply.

8th. What quantity of sawed lumber has been contracted for, by whom, and the terms, and what amount will be necessary.

9th. State the rates they have agreed for work and labor to be done ; and also state if there was any competition for the benefit of said contracts, as well as the manner of letting the same out ; and said Trustees report on to-morrow to the Senate.

Which was adopted.

Mr. Robinson asked and obtained leave to present a petition from sundry citizens of Franklin county in relation to the sale of spirituous liquors ;

Which was referred to a select committee, consisting of,

Messrs. Robinson, Conduit, Holloway, and Garver.

Mr. Conduit asked and obtained leave to present the petition of sundry citizens of Morgan county, in relation to the sale of ardent spirituous liquors ;

Which was referred to the same select committee.

Mr. Holloway asked and obtained leave to present two petitions from sundry citizens of Wayne county, in relation to the sale of spirituous liquors ;

Which were referred to the same select committee.

Mr. Henry, from the committee on the judiciary, asked and obtained leave to report back to the Senate sundry petitions upon the subject of the license laws ;

Which were referred to the same select committee.

And the committee on the judiciary were discharged from the further consideration thereof.

On motion by Mr. Harvey,

The vote on the indefinite postponement of bill of the Senate, entitled,

No. 163. A bill for the relief of Charlotte Haughter, of the county of Morgan ;

Was reconsidered.

And,

On motion by Mr. Conduit,

The rules were suspended, and the bill considered as engrossed, and read a third time.

And upon the passage of said bill,

The ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Conduit, Davis, Day of St. Joseph, Dole, English, Graham, Hardin, Hendricks, Holloway, Houghton, Hubbard, Millikin, Miller, Osborn, Randall, Simpson, Sleeth, Taber, Walpole and Waters—21.

Those who voted in the negative are,

Messrs. Beard, Coates, Day of Kosciusko, Ellis, Evans, Garver, Harvey, Henry, Herod, Malott, McCarty, Morrison, Orth, Porter, Robinson, and Stewart—16.

So the bill passed.

ORDERS OF THE DAY.

Bills and Joint Resolutions on their third reading.

No. 77. A bill (House) relating to the Baptist Education Society for Indiana;

Which was read a third time and referred to the committee on education.

No. 179. A bill (House) to amend the plat of Cambridge City ;
Which was read a third time, and passed.

No. 143. A bill to incorporate the Laurel and Blooming Grove Turnpike company ;

Which was read a third time and passed.

No. 206. A bill for the relief of George N. Wait ;

Which was read a third time,

And on the passage of the bill,

The ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Coates, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, English, Garver, Graham, Green, Hamrick, Harvey, Hendricks, Herod, Holloway, Hubbard, Huffstetter, McCarty, Millikin, Morrison, Osborn, Porter, Randall, Read, Robinson, Rousseau, Simpson, Stewart, and Waters—30.

Those who voted in the negative are,

Messrs. Ellis, Evans, Henry, Houghton, James, Malott, Martin, Miller, Orth, Taber, and Walpole—11.

So the said bill passed.

Mr. Evans asked and obtained leave to offer the following resolution :

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so changing the law, both civil and ecclesiastical, as to make the marriage covenant to extend no longer than during the consent of the parties, and that they may abandon each other at pleasure.

Which was adopted.

No. 209. A bill to amend article one of chapter thirty-five of the Revised Statutes of 1843 ;

Which was read a third time ; and on the passage of said bill,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Dole, English, Garver, Hamrick, Hardin, Hendricks, Herod, Holloway, Houghton, Hubbard, Millikin, Milligan, Miller, Osborn, Randall, Simpson, Sleeth, Taber, Walpole, and Waters—26.

Those who voted in the negative are,

Messrs. Beard, Coates, Ellis, Evans, Harvey, Henry, Huffstetter, Malott, Martin, McCarty, Morrison, Orth, Porter, Robinson, and Stewart—16.

So the bill passed.

No. 215. A bill to incorporate the Ohio, Indiana, and Lake Michigan Railroad company ;

Which was read a third time and passed.

No. 246. A joint resolution relative to the Terre Haute Draw-bridge company ;

Which was read a third time ; when

Mr. Henry moved to recommit the joint resolution to a select committee with instructions to make the following amendment to the joint resolution :

That the court or jury trying the cause shall find whether said bridge is an obstruction to the navigation of said River or not, and if it is found by such verdict, that said bridge does not obstruct the navigation of said River, no judgment of forfeiture shall be rendered by said court ;

And the question being upon recommitting the bill, as above proposed, with said instructions, and,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Dole, English, Garver, Hardin,

Harvey, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Morrison, Randall, Robinson, and Stewart—19.

Those who voted in the negative are,

Messrs. Beard, Conduit, Davis, Day, of Kosciusko, Day, of St. Joseph, Ellis, Evans, Hamrick, Hendricks, Herod, Holloway, Houghton, Hubbard, Miller, Montgomery, Orth, Osborn, Porter, Read, Rousseau, Simpson, Sleeth, Taber, Walpole, and Waters—24.

So the bill was not recommitted.
When Mr. Orth moved the following amendment to the bill:
Add the following proviso;

"Provided further, That said Bridge Company may plead and show as a defence to said scire facias, that said bridge is not an obstruction to the navigation of said River ;"

Which amendment was unanimously adopted,
And the bill passed.

BILLS ON THEIR SECOND READING.

No. 172. A bill allowing County Treasurers' mileage for the collection of delinquent taxes;

Which was read a second time, and,
On motion,

Indefinitely postponed.

No. 127. A bill (of the House) to repeal an act entitled an act providing for the opening and repairing public roads and highways in the county of Monroe, approved February 3d, 1841, and for other purposes;

Which was read a second time, and,

On motion,

The rules were suspended, the bill read a third time, and passed.

No. 129. A bill (of the House) to amend an act entitled "an act to amend article 5, of chapter 45, of the Revised Code of 1843," approved February 16th, 1848;

Which was read a second time, and referred to the committee on the judiciary.

No. 204. A bill (of the House) to amend an act extending the jurisdiction of Justices of the Peace in certain criminal cases;

Which was read a second time, and,

On motion,

The rules were suspended, and the bill read a third time and passed.

No. 233. A bill to change the time of the meeting of the General Assembly of this State, from the first Monday in December, to the first Monday in January;

Which was read a second time, and,

Ordered to be engrossed for a third reading.

On motion,

The Senate resumed the consideration of bills contained in a message heretofore taken up.

And bill contained in the message,

No. 190. A bill to vacate the town of Ventersville, in Morgan county;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time; and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 193. A bill to legalize the assessment of taxable property in Wayne township, Bartholomew county, for the year 1848;

Which was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

No. 194. A bill authorizing the election of an additional Justice of the Peace in Adams township, in Madison county;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time,

When Mr. Walpole moved the following amendment to the bill:

Add the following:

That the qualified voters of Jackson township, Hancock county, may, on the first Monday of April next, elect an additional Justice of the Peace for said township, who shall hold his office in the town of Port Laurel, in said township. And it may be lawful for the qualified voters of Jones township, in the county last aforesaid, to elect on the first Monday of April next, an additional Justice of the Peace for said township, who shall hold his office in the town of Philadelphia, in said township;

Which amendment was adopted.

And,

On motion,

The rules were further suspended, the amendments considered as engrossed, the bill read a third time and passed.

When Mr. Walpole moved the following amendment to the bill:

Add "Hancock." Strike out the word "county" and insert the word "counties."

Which amendment was adopted.

No. 195. A bill to provide for the location of a State road in Grant and Wabash counties;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On motion,

Referred to a select committee, consisting of

Messrs. Cassatt, Buckles and Holloway.

No. 196. A bill amendatory of the act incorporating the town of Connersville;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 199. A joint resolution in relation to the State Instruments.

Was read a first time, and,

On motion,

The rules were suspended, and the joint resolution read a third time, and,

On further motion,

The rules were further suspended, the joint resolution read a third time and passed.

No. 200. A joint resolution on the subject of donating lands by the General Government;

Was read a first time, and,

On motion,

The rules were suspended, and the joint resolution read a second time, and,

On further motion,

The rules were further suspended, the joint resolution read a third time and passed.

No. 201. A joint resolution on the subject of publishing the general laws of the present session;

Was read a first time, and,

On motion,

The rules were suspended, and the joint resolution was read a second time, and,

On further motion,

The rules were further suspended, the joint resolution was read a third time and passed.

No. 206. A bill defining the duty of Congressional township Trustees in Daviess county;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and referred to a select committee, consisting of

Messrs. Houghton, Taber and Cassatt.

No. 208. A bill to confirm a certain change in the Michigan road in Cass county;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 209. A bill to repeal an act therein named;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

Laid upon the table.

No. 210. A bill to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, when,

Mr. Taber moved the following amendment:

"Strike out all that relates to the county of Cass;"

Which amendment was adopted, and,

On further motion,

The rules were further suspended, and the amendment considered as engrossed, the bill read a third time, and passed.

No. 211. A bill to change the time of holding circuit courts in the counties of Jennings and Bartholomew;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives by their Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 130. An act extending the provisions of an act therein named;

No. 239. An act to raise a revenue for State purposes for 1849;

No. 248. An act to repeal an act entitled "An act reducing the fee for recording deeds in Delaware county," approved January 14, 1848;

No. 249. An act for the relief of John Smith of Owen county;

No. 252. An act to locate a State road in the counties of Martin, Orange and Crawford;

No. 254. An act to prohibit the sale of spirituous liquors in Adams and Fall Creek townships in Madison county, by a less quantity than thirty gallons;

No. 356. An act to incorporate the Troy and Wabash River Railroad Company;

No. 258. An act to repeal an act therein named;
In which the concurrence of the Senate is respectfully requested.

And bill in said message,

No. 130. A bill extending the provisions of an act therein named;
Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

And bill in said message entitled,

No. 239. A bill to raise a revenue for State purposes;

Was read a first time, and,

On motion by Mr. Miller,

The rules were suspended, the bill read a second time, and referred to the committee of the whole Senate, and made the special order of the day on to-morrow at 2 o'clock, P. M.

No. 248. A bill to repeal an act entitled "An act reducing the fee for recording deeds in Delaware county," approved February 14th, 1848;

Was read a first time, and,

On motion by Mr. Buckles,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Buckle,

The rules were further suspended, the bill read a third time and passed.

No. 249. A bill for the relief of John Smith, of Owen county;
Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time, and referred to a select committee consisting of,
Messrs. Rousseau, Osborn, and Millikin.

No. 252. A bill to locate a State road in the counties of Martin, Orange and Crawford;

Was read a first time and passed to a second reading.

No. 254. A bill to prohibit the sale of spirituous liquors in Adams county and Fall Creek township, in Madison county, by a less quantity than thirty gallons;

Was read a first time; and,

On motion by Mr. Walpole,

The rules were suspended, the bill read a second time and referred to a select committee consisting of,
Messrs. Walpole, Houghton, and Davis.

No. 256. A bill to incorporate the Troy and Wabash river Railroad Company;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time; and,

On motion,

The rules were further suspended, the bill read a third time and passed.

No. 258. A bill to repeal an act therein named;

Was read a first time and passed to a second reading.

Mr. Cassatt asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee, to whom was referred bill, No. 189, entitled a bill relative to Canal Land Scrip, have had the same under consideration and directed me to report the same back with sundry amendments, and when so amended, recommend its passage.

Amendments referred to in the above report:

First—Amend the third section, as follows:

Insert the words, "the second section of," before the words, "this act," in the third line.

Second—Amend the fourth section, as follows:

Strike out all, after the word "after," in the tenth line, and insert in lieu thereof, the following, "the first day of March, next."

Which amendments were adopted.

On motion by Mr. Cassatt,

The rules were suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Hamrick from the committee on enrolled bill, made the following report:

MR. PRESIDENT:

The committee on enrolled bills, have examined and compared enrolled bills of the Senate, No. 63 and 65, with the engrossed bills thereof, and find them correctly enrolled.

On motion by Mr. Robinson,

No. 70. A bill (Senate) declaring the meaning of the 10th section of an act, approved, Jan. 13, 1845;

Was taken from the table.

The following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the Speaker of the House has signed the following enrolled act of the Senate :

No. 117. An act for the relief of Martin Fitzpatrick ;
Which I am directed to bring to the Senate, for the signature of the President thereof ;

Also, the following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has signed the following enrolled acts of the Senate :

No. 65. An act to incorporate the Brookville and Fairfield Turnpike Company.

No. 63. An act to amend the several acts now in force incorporating the town of Greensburg.

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled act of the House :

No. 180. An act for the relief of Solomon May, senior.

Which I am directed to bring to the Senate for the signature of President thereof.

Also the following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the House :

No. 3, 7, 38, 51, 155, 156, 157, 164, 243 165, 178, 247.

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Milligan asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the House No. 174, relative to attaching additional territory to the county of Blackford, and the pending amendments thereto, have had the same under consideration and I am directed by a majority of the committee to report the same back to the Senate with one amendment, and when so amended to recommend its passage.

Amendment.

Add the following sections :

SECTION . This act shall not take effect and be in force until there shall be elections held at the residence of John Buckells, John M. Henley, and Peter Shedler, residents within the territory specified in the first section of this act, which election shall be held on the fourth Monday in February next, at the places aforesaid, and between the hours of nine o'clock A. M., and (5) five o'clock P. M., of said day ; the qualified voters, or as many as may meet at either of the places aforesaid for holding said elections, on the day fixed for the same, and shall appoint from among the qualified voters, an inspector thereof, also two judges thereof, also two clerks for each of said elections, and when said officers are so chosen, they shall open a poll at the places aforesaid, and said elections shall in all things be governed and conducted as other elections are, and it shall be lawful for each voter in favor of the provisions of the first section of this act, shall vote either in print or writing, the word "Blackford," those opposed thereto shall vote in like manner the word, "Delaware," and it shall be the duty of said officers to certify the result of the election of which they were officers, to the clerk of the Blackford Circuit Court, within ten days thereafter, and it shall be the duty of said clerk within ten days after the return is so made to him, to transmit to the Secretary of State, the result of said election, and if from said return it shall appear that a majority of those voting at such elections vote in favor of Blackford, it shall be and it is hereby made the duty of the Governor to issue his proclamation declaring that the provisions of this act is the law, and the territory in the first section of this act specified, shall be and the same shall form a part of the county of Blackford, which proclamation shall be recorded in said Secretary of State's office, also printed in the Indiana State Journal and State Sentinel, at Indianapolis.

SEC. . No person shall be deemed a qualified voter except white males over twenty-one years old, and shall have resided in the State of Indiana for one year immediately preceding said election, and shall be an inhabitant of the district proposed to be attached to Blackford county, and shall have resided in said territory on the 1st day of January, 1849. Any person or persons who are not qualified voters under the provisions of this act, who shall vote or offer to vote at either of the elections herein provided for, shall be subject to indictment in the proper county, and on conviction,

shall be subject to a fine not less than five dollars nor exceeding one hundred dollars; and the officers in said election shall in all things be governed by the general law now in force in relation to elections, that does not conflict with the provisions of this act.— This act to take effect and be in force from and after its passage, and shall be published in the Indiana State Journal and the State Sentinel, at Indianapolis;

Which amendment to the amendment was adopted; when,
The amendment as amended was adopted.

Whereupon Mr. Buckles moved to recommit the bill to a select committee, with the following instructions:

That said committee be instructed to make the following amendment, to-wit: Strike out the words "fourth Monday in February" and insert the words "the second Monday in May." Strike out the word "Blackford" wherever it occurs in reference to the clerk of the circuit court, and insert the word "Delaware." Strike out the words "of those voting," in the ninth line of the second page of this amendment and insert the words "of the qualified voters residing within the limits of said territory." And strike out the second line on page three, and further amend by providing that notice of the time, places, and object of holding said elections, by posting up written or printed notices thereof in three of the most public places in the vicinity of each of the places fixed by said amendment for holding said elections.

When,

On motion,

The instructions were laid upon the table, and

The motion to recommit decided in the negative.

Whereupon Mr. Hubbard called for the previous question,

Which was seconded, and

The Senate ordered the main question to be then put.

And the President, *pro tem.* stated that the main question will be,

Shall the amendments be engrossed, and the bill read a third time to-morrow?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Cassatt, Coates, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Ellis, English, Evans, Graham, Hamrick, Harvey, Hendricks, Herod, Houghton, Hubbard, Huffstetter, James, Malott, McCarty, Milligan, Miller, Montgomery, Morrison, Osborn, Read, Simpson, Taber, and Waters—30.

Those who voted in the negative are,

Messrs. Beard, Buckles, Dole, Garver, Hardin, Holloway, Millikin, Orth, Porter, Robinson, and Sleeth—11.

So the amendments were ordered to be engrossed and the bill to be read a third time on to-morrow.

Mr. Hamrick from the committee on enrolled bills made the following report:

MR. PRESIDENT:

The committee on enrolled bills have examined and compared enrolled bill of the Senate No. 117, with engrossed, and find the same correctly enrolled.

Mr. Cassatt asked and obtained leave to make the following report from a select committee:

MR. PRESIDENT:

The select committee to whom was referred House bill No. 195, entitled an act to provide for the location of a State road in Grant and Wabash counties have had the same under consideration, and have directed me to report the same back to the Senate, with the following amendment, and when so amended, recommend its passage."

Amendment—

Strike out after the word "at" in the 17th line the words "or near said range line" and insert the words "the point where said State road crosses Treaty creek the first time below Rouches' mill in Wabash county;"

Which amendments were adopted, and the report concurred in, and

On motion,

The rules were further suspended, the amendments considered as engrossed, the bill read a third time and passed.

Mr. Conduit asked and obtained leave, to introduce the following bill:

No. 268. A bill to change the name of Emanuel Wise to Emanuel Wise Stafford;

Which was read a first time, and,

On motion by Mr. Conduit,

The rules were suspended, and the bill read a second time, and

On further motion by Mr. Conduit,

The rules were further suspended, the bill was considered as engrossed, read a third time, and passed.

Mr. Stewart moved to suspend the order of business, and take up a message from the House.

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Davis, Day of St. Joseph, Dole, Evans, Graham, Hamrick, Hardin, Harvey, Hendricks, Henry,

Herod, Holloway, Houghton, Hubbard, Huffstetter, Martin, McCarty, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Read, Rousseau, Simpson and Stewart—30.

Those who voted in the negative are,

Messrs. Adams, Coates and Millikin—3.

No quorum voting, when
Mr. Stewart moved a call of the Senate,
Which was ordered,
And the call having been proceeded with, when,
On motion,
The further call was suspended, when
Mr. Stewart moved to take up said message,
And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Cassatt, Davis, Day of St. Joseph, Dole, Evans, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Hubbard, Huffstetter, Malott, Martin, McCarty, Montgomery, Morrison, Orth, Osborn, Porter, Randall, Read, Sleeth, Stewart and Taber—29.

Those who voted in the negative are,

Messrs. Adams, Millikin, Milligan and Rousseau—4.

No quorum voting, and,
On motion,
The Senate adjourned.

FRIDAY MORNING, JAN. 12, 1849.

The Senate met.

On motion by Mr. Read,
The Senate dispensed with the reading the journal of the preceding day.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 147. An act to amend an act entitled "An act to incorporate the Indiana Canal Company," approved December 6, 1848;

No. 224. An act to incorporate the Delphi and Frankfort Plank Road Company;

No. 314. An act to amend an act entitled "An act to incorporate the Madison Cemetery," approved January 19, 1846;

No. 315. An act in relation to road tax in Adams county;

No. 317. An act to change the name of the Cannelton Steam Mill and Manufacturing Company, and to authorize them to mine coal;

No. 320. An act to legalize the sale of delinquent lands and lots in the county of Crawford;

No. 321. An act to regulate the mode of doing county business in the county of Putnam;

In which the concurrence of the Senate is respectfully requested.

And bill contained in said message,

No. 147. A bill to amend an act to incorporate the Indiana Canal Company, approved December 6th, 1848;

Was read a first time, and,

On motion by Mr. Read,

The rules were suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Read, Davis, Hendricks, Porter and Stewart.

And bill contained in said message,

No. 224. A bill to incorporate the Delphi and Frankfort Plank Road Company;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

And bill contained in said message,

No. 314. An act to amend an act entitled "An act to incorporate the Madison Cemetery," approved January 19th, 1846;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 315. A bill in relation to road tax in Adams county;

Was read a first time, and,

On motion,
The rules were suspended, the bill read a second time, and,
On further motion,
The rules were further suspended, the bill read a third time, and passed.

No. 317. A bill to change the name of the Cannelton Steam Mill and Manufacturing Company, and to authorize them to mine coal;

Was read a first time, and,
On motion,
The rules were suspended, the bill read a second time, and,
On further motion,
The rules were further suspended, the bill read a third time, and passed.

No. 320. A bill to legalize the sale of delinquent lands and lots in the county of Crawford;

Was read a first time, and,
On motion,
The rules were suspended, the bill read a second time, and,
On further motion,
The rules were further suspended, the bill read a third time, and passed.

No. 321. A bill to regulate the mode of doing county business in the county of Putnam;

Was read a first time, and,
On motion,
The rules were suspended, the bill read a second time, and,
On motion,
The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have concurred in the engrossed amendment of the Senate to engrossed bill of the House:

No. 49. An act relative to school funds in the county of Clark;
Without amendment.

Also, the following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the House:

Nos. 44, 104, 110, 146, 162, 175, 182, 185, 189, 220;

Which I am directed to bring to the Senate, for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bills of the Senate without amendment:

No. 16. An act to amend the act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company;

No. 30. An act fixing the times of holding the several circuit courts in the eleventh judicial circuit;

No. 47. An act to incorporate the Lima Band;

No. 55. An act to amend an act to incorporate the Fairfield Hydraulic Company;

No. 62. An act to legalize the location of a certain State road therein named;

No. 64. An act in relation to the highway tax of Lagrange county;

No. 101. An act to authorize the President of the Sinking Fund Committee to execute patents and deeds in certain cases;

No. 110. An act to establish a male and female institute in the city of Lawrenceburgh, Dearborn county, Indiana;

No. 116. An act to incorporate the Winchester and Fort Wayne Railroad Company;

No. 142. An act amendatory of an act, entitled "An act incorporating the Lafayette and Danville Railroad Company;

No. 144. An act to locate a State road in Jefferson and Ripley counties;

No. 160. An act to incorporate the Indiana Council, No. 1, of the United American Mechanics;

No. 170. An act to amend an act in relation to the New Albany and Vincennes Road;

No. 176. An act to amend an act, entitled "An act to provide for the construction of a Railway in Laporte county," approved Feb. 11, 1843;

No. 184. An act to amend an act, for the relief of Victor Pepin, of Floyd county. Approved, Dec. 30, 1846.

No. 185. An act for the relief of Rachel Loyd, of Floyd county;

No. 186. An act supplementary to an act, entitled an act, to incorporate the Grand and Subordinate Divisions of the Sons of Temperance.

No. 188. An act establishing the salaries of Auditor and Treasurer of Jay county and Recorder of Steuben county.

No. 190. An act extending the time of holding probate courts in Monroe county.

No. 191. An act to incorporate the Madison Iron Manufacturing Company.

No. 193. An act to amend an act, entitled "an act, to incorporate the city of Richmond."

No. 196. An act to authorize the county Commissioners of Lake county, to restrain hogs from running at large.

No. 198. An act declaring certain laws relative to Roads and Highways, to be in force in Lawrence county.

No. 199. An act to incorporate the Williamsburgh and Economy Turnpike Company.

No. 200. An act to amend an act incorporating the Logansport and Rochester Michigan Road Company.

No. 205. An act to incorporate the Madison and Cross Plains Turnpike Company.

No. 207. An act relative to Rail Roads.

No. 208. An act for the relief of certain laborers on the Central Canal, for work done in 1847-'48.

No. 212. An act for the extension of Illinois street, in the City of Indianapolis.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

The Speaker of the House of Representatives, has signed the following enrolled acts of the House :

No. 143, No. 172, No. 158, and No. 170.

Which I am directed to bring to the Senate, for the signature of the President thereof.

The following message was received from the House of Representatives, by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House has passed the following engrossed bills thereof :

No. 150. An act to amend an act, entitled "an act to lease the Indiana State Prison, and for other purposes." Approved, Jan. 16, 1846.

No. 250. An act to incorporate the Elkhart and Michigan Rail Road Company.

No. 205. An act for the relief of Bowen B. McFarland and Cephas and Henry McFarland, late of the United States army, in Mexico.

No. 306. An act to legalize a certain deed therein named.

In which the concurrence of the Senate is respectfully requested.

No. 150. An act to amend an act, entitled "an act, to lease the Indiana State Prison, and for other purposes, approved, January 16, 1846 ;

Was read a first time ; and,

On motion by Mr. Read,

The rules were suspended, the bill read a second time ; when,

Mr. Read moved to refer the same to the committee on the State Prison, and the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Coates, Day, of Kosciusko, English, Evans, Green, Hardin, Henry, Huffstetter, James, Malott, Martin, McCarty, Millikin, Milligan, Morrison, Randall, Read, Robinson, Sleeth, and Stewart—23.

Those who voted in the negative are,

Messrs. Cassatt, Conduit, Davis, Day, of St. Joseph, Dole, Ellis, Garver, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Montgomery, Orth, Porter, Rousseau, Simpson, Taber, Walpole, and Waters—23.

So the bill was not committed to the committee on the State Prison.

When Mr. Read moved the following amendment to the bill :

Add the following section :

SEC. 5. The lessee shall in no case employ or work the convicts of said prison, within the corporation of the city of Jeffersonville, nor elsewhere, in violation of the privileges of this act, and for each such offence, or day so offending, he shall forfeit and pay for the use of common schools, a sum not more than fifteen dollars nor less than five dollars, to be recovered in an action of debt, in the name of the State, before any Justice of the Peace, of the proper township, upon complaint ; and failing to obtain judgment, shall be charged with the costs of said suit.

Provided, Nothing in this act shall be so construed as to prevent said lessee from the privilege of hauling to and from the city of Jeffersonville, for the purposes immediately connected with the business of said prison.

The question being upon the adoption of the amendment,

When Mr. Davis moved to lay the same upon the table,

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Davis, Day of Kosciusko, Dole, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Martin, Orth, Porter, Rousseau, Simpson, Walpole, and Waters—20.

Those who voted in the negative are,

Messrs. Buckles, Coates, Day of St. Joseph, English, Garver, Green, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Miller, Morrison, Read, Sleeth, and Stewart—18.

So the amendment was laid upon the table,
And the bill ordered to a third reading.

No. 205. An act for the relief of Bowen B. McFarland, and Cephas and Henry McFarland, late of the United States Army in Mexico ;

Was read a first time ; and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Stewart,

The rules were further suspended, the bill read a third time, and passed.

No. 250. An act to incorporate the Elkhart and Michigan Railroad company ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 306. An act to legalize a certain deed therein named ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

The Speaker of the House of Representatives has signed the following enrolled act of the Senate :

No. 212. An act for the extension of Illinois street in the city of Indianapolis.

Which I am directed to bring to the Senate for the signature of the President.

The Senate then resumed the consideration of bills contained in a message heretofore taken up.

No. 214. A bill to resurvey and relocate so much of the Indianapolis and Fort Wayne State road as lies within the counties of Grant, Wells, and Huntington ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 215. A bill in relation to road tax in St. Joseph county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

Referred to a select committee consisting of,

Messrs. Day of Kosciusko, Day of St. Joseph, and Evans.

No. 216. A bill to incorporate the Washington Turnpike company in Wayne county, Indiana ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time, and passed.

No. 217. A bill to legalize certain acts of the Auditor of Marshall county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 218. A bill to authorize supervisors in Wells county levying an additional road tax when necessary ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 219. A bill to repeal an act entitled "an act defining the duties of County Treasurers, passed January 13th, 1845, approved February 14th, 1848," relative to the counties of Fulton and Marshall ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 221. A bill to change the name of the Ciceronian Society, to the name of Alpha Pi ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 221. A bill to increase the salary of the Probate Judge of Wayne county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 223. A bill relative to roads in Marshall, Fulton and Starke counties ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 226. A bill to exempt the property of invalids from taxation ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 227. A bill to incorporate the Greensburgh and Brookville Turnpike Company ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 228. A bill defining the duty of the Board of Commissioners of the county of Monroe ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 229. A bill to equally distribute the local and general laws of this State ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and referred to the committee on finance.

No. 231. A bill to amend "an act to provide for the continuance of the construction of all or any part of the public works of this State, by private companies, and for abolishing the Board of Internal Improvement, and the offices of Fund Commissioner and Chief Engineer," approved January 28, 1842 ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 235. A bill defining the mode of appointing Trustees of the County Library of Sullivan county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 257. A bill in relation to Roads and Bridges in Bartholomew county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 259. A bill to change the name of the town of Huntsville, to that of Trenton ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were suspended, and the bill read a third time, and passed.

No. 263. A bill for the relief of the heirs of Alexander Smith, late of Adams county, deceased ;

Was read a first time, and,

On motion,

The rules were suspended, and the bill was read a second time, When Mr. Walpole moved the following amendment.

Add the following section :

SEC. 1st. *Be it enacted by the General Assembly of the State of Indiana* : That the Secretary of State of the State of Indiana, be, and he is hereby authorized, and directed, to make a good and efficient deed of conveyance to Samuel H. Gregg, of Woodford county, in the State of Kentucky, conveying to the said Samuel, lot No. 11, in square No. 46, in the town of Indianapolis, upon the application of said Samuel H. Gregg, or his legally authorized agent.

SEC. 2. This act to take effect and be in force, from and after its passage.

Which amendment was adopted,

And,

On further motion,

The rules were suspended, the amendment considered as engrossed, the bill read a third time and passed,

When Mr. Walpole moved the following amendment to the title.

Add the words :

And also for the relief of Samuel H. Gregg,

Which was adopted.

No. 264. A bill to incorporate the Rushville Female Institute ;
Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

No. 265. A bill for the relief of William Whaling, deceased ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 276. A bill to provide for the election of Prosecuting Attorneys in the 4th and 8th judicial circuits ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and referred to a select committee, consisting of

Messrs. Hubbard, Taber, Holloway and Morrison.

No. 277. A bill relating to the dockets of Justices of the Peace, in Pleasant Run township, in Lawrence county ;

Which was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill was read a third time, and passed.

The following message was received from the House of Representatives, by Mr. Drake :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof, to-wit :

No. 95. An act to incorporate the Central Plank Road Company. In which the concurrence of the Senate is respectfully requested.

No. 95. A bill to incorporate the Central Plank Road Company ;
Was read a first time, and,

On motion,

The rules were suspended, and the bill read a third time, and referred to a select committee, consisting of

Messrs. Walpole, Holloway, Evans, Stewart, Harvey, Hamrick and Henry.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed bill thereof entitled,

No. 282. An act to incorporate the Knox Insurance Company. In which the concurrence of the Senate is respectfully requested.

No. 282. A bill to incorporate the Knox Insurance Company ;
Was read a first time, and,

On motion by Mr. Ellis,

The rules were suspended, and the bill read a second time ; and,

On further motion by Mr. Ellis,

The rules were further suspended, the bill read a third time and passed.

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

The Speaker of the House of Representatives, has signed the following enrolled acts of the Senate :

No. 175, 174, 157, 197, 177, and 181.

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Orth moved to suspend the previous order of business, and grant him leave to offer a resolution.

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Coates, Green, Hendricks, Herod, Houguton, Millikin, Milligan, Morrison, Orth, Read, Robinson, and Simpson—12.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Cassatt, Conduit, Davis, Day of Kosciusko, Ellis, English, Garver, Hamrick, Hardin, Harvey, Henry, Holloway, Hubbard, Huffstetter, James, Marsh, Malott, Martin, McCarty, Miller, Montgomery, Porter, Randall, Rousseau, Sleeth, Stewart, Taber, Walpole, and Waters—32.

So the Senate refused to suspend the previous order of business.

On motion by Mr. Davis,

The previous order of business was suspended, and leave granted him to make the following report from a select committee :

Mr. PRESIDENT :

The select committee to which had been referred House bill No. 124, incorporating the Covington Draw Bridge Company, have instructed me to report the same back with the following amendments, for the action of the Senate.

Amendments referred to :

1st Amendment.

And the said company shall cause to be erected a good and sufficient "draw," for the passage of Steamboats in the channel of the Wabash river, of a width not less than fifty-five feet, and in case the said bridge company shall in or by the construction of said bridge, in any wise obstruct or impair the navigation of said Wabash river, it shall be the duty of the Attorney prosecuting the pleas of the State for the county of Fountain, upon complaint of any person, to sue out of the Fountain Circuit Court, a *scire facias* in the name of the State of Indiana, against said bridge company ; *Provided*, upon the oath of said complainant, or other person, a change of venue shall be had as in other cases, and prosecute the same to final judgment and execution, and if it shall be found that said company have so obstructed or impeded the navigation of said river, the said court shall cause the same to be removed at the proper costs of said company, so far as the same may obstruct or impair said navigation, or upon failure of said company to remove the same in such time as the court may limit and appoint, the said court shall

decree the forfeiture of said charter, and cause the franchises of the company to be seized, and any person or persons aggrieved or injured in navigation by reason of the construction or keeping up of said bridge, may institute and prosecute his or their suit in any court having jurisdiction, against said company, and shall have execution for damages and costs, against the property of said company.

Which amendment was adopted.

2nd amendment.

That the several stockholders shall be liable individually and collectively for all damages said company may occasion either directly or indirectly, but no execution shall be issued against said stockholders, until after the property of said company shall have been exhausted ;

Which amendment,

On motion by Mr. Coates,

Was laid upon the table.

When Mr. Coates moved the following amendment to the bill :

Amend the second section by striking out the word "twenty," and inserting in lieu thereof the word "fifty ;"

Which amendment was adopted.

When Mr. Orth moved the following amendment to the bill :

After the word "Directors," in the 18th section, insert the words, "and the stockholders for all damages occasioned by the construction and keeping in repair said bridge ;"

Which amendment was adopted.

When Mr. Walpole moved the following amendment to the bill :

Add in the proper place the following—

"In case the injury result to boats manned by skilful pilots, said pilot and those managing said boat using all skillful means to avoid injury to such boat from said bridge ;"

Which amendment was adopted.

And,

On motion by Mr. Coates,

The rules were suspended, the amendments considered as engrossed, the bill read a third time, and passed.

On motion;

The Senate adjourned.

Two o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills and joint resolutions of the Senate, with sundry amendments :

No. 8. An act to incorporate the Richmond and Williamsburgh Turnpike Company ;

No. 18. An act to incorporate the Laporte Iron Manufacturing Company ;

No. 14. An act to amend an act, entitled " An act creating the Tippecanoe court of common pleas, and defining its jurisdiction ;

No. 24. An act repealing a certain act therein named ;

No. 25. An act to incorporate the Cross Plains and Laughery Turnpike Company ;

No. 26. A joint resolution on the Independence of Liberia ;

No. 39. An act to amend and extend section 60 of chapter 38 of the Revised Laws of 1843, so far as Jefferson county is concerned ;

No. 48. An act authorizing the construction of Plank Roads ;

No. 74. An act to repeal section three, chapter twenty-eight, of Revised Statutes of 1843, relative to contracts with Indians ;

No. 82. An act to incorporate the Richmond Bridge and Turnpike Company ;

No. 79. A joint resolution to provide for the enforcement of the State Debt act and the act supplemental thereto ;

No. 99. An act for the relief of James D. Glass, deceased ;

No. 166. An act to amend an act to incorporate the Madison and Napoleon Turnpike Company ;

No. 187. An act to record the survey of a State road in Ripley county ;

No. 192. An act to amend an act, entitled " An act to incorporate the Mooresville Branch Railroad Company ;

No. 201. An act further to amend an act to incorporate the town of Columbus, Bartholomew county, Indiana, approved February 6, 1839 ;

In which amendments the concurrence of the Senate is respectfully requested.

When Mr. Henry moved to concur in the engrossed amendment of the House to the engrossed bill of the Senate, entitled, No. 8. A bill to incorporate the Richmond and Williamsburgh Turnpike Company ;

And the ayes and noes being demanded by two Senators, They were ordered :

Those who voted in the affirmative are :

Messrs. Adams, Day, of St. Joseph, English, Evans, Garver, Green, Hardin, Henry, Huffstetter, Marsh, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, and Stewart—20.

Those who voted in the negative are :

Messrs. Beard, Buckles, Cassatt, Conduit, Davis, Day, of Kosciusko, Dole, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Hubbard, Martin, Montgomery, Orth, Porter, Robinson, Rousseau, Simpson, Walpole, and Waters—23.

So the Senate refused to concur in said amendment.

And,

On motion by Mr. Orth,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 14. A bill to amend an act, entitled " An act creating the Tippecanoe Court of Common Pleas, and defining its jurisdiction," approved January 18, 1848.

On motion by Mr. Davis,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 18. A bill to incorporate " The Laport Iron Manufacturing Company."

On motion by Mr. Walpole,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate contained in said message, entitled,

No. 24. A bill repealing a certain act therein named ;

With the following amendment :

Add the following words :

" And also the county of Hancock in the 5th judicial circuit," and,

On motion,

The bill and amendments were laid upon the table.

On motion by Mr. McCarty,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate contained in the message, entitled,

No. 25. A bill to incorporate the Cross Plains and Laughery Turnpike Company.

On motion by Mr. Holloway,

The Senate refused to concur in the engrossed amendment of the House to the engrossed joint resolution of the Senate contained in the message, entitled,

No. 26. Joint resolution on the independence of Liberia.

On motion by Mr. Hendricks,

The Senate concurred in the engrossed amendments of the House to the engrossed bill of the Senate contained in the message, entitled,

No. 39. A bill to amend and extend section 60 of chapter 38 of the Revised Laws of 1843, so far as Jefferson county is concerned.

On motion by Mr. Orth,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate contained in the message entitled,

No. 48. A bill authorizing the construction of plank roads.

On motion by Mr. Davis,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate contained in said message, entitled,

No. 74. A bill to repeal section three (3), chapter twenty-eight (28), Revised Statutes of 1843, relative to contracts with Indians.

Mr. Cassatt moved to concur in the engrossed amendments of the House to the engrossed joint resolution of the Senate contained in the message entitled,

No. 79. A joint resolution to provide for the enforcement of the State debt act, and the act supplemental thereto;

When Mr. Henry moved to amend the motion so as to include the following amendment:

Strike out of the first amendment all after the words "joint resolution," and insert the following:

"Shall be instituted in the Marion circuit court, except however the case be provided for in the first section of this resolution,"

When Mr. Montgomery moved a call of the Senate,

Which was ordered,

And the call having proceeded,

On motion by Mr. Rousseau,

The further call was suspended,

When Mr. Rousseau moved to lay the bill and amendments upon the table.

And the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Buckles, Garver, Hamrick, James, Miller and Rousseau—6.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Day of Kosciusko, Ellis, Green, Hardin, Hendricks, Herod, Holloway, Houghton, Hubbard, Marsh, Malott, McCarty, Millikin, Milligan, Montgomery, Morrison, Orth, Porter, Randall, Read, Robinson, Simpson, Sleeth, Stewart, Taber, Walpole, and Waters—32.

So the bill and amendments were not laid on the table,

When Mr. Montgomery moved to lay the amendments proposed by Mr. Henry on the table,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Day of Kosciusko, Ellis, Hardin, Herod, Holloway, Hubbard, Huffstetter, Marsh, Martin, McCarty, Millikin, Milligan, Montgomery, Morrison, Orth, Porter, Randall, Read, Robinson, Simpson, Taber, Walpole, and Waters—28.

Those who voted in the negative are,

Messrs. Buckles, Garver, Hamrick, Harvey, Henry, Houghton, James, Malott, Miller, Rousseau, Sleeth, and Stewart—12.

So the amendment was laid upon the table, when Mr. Rousseau moved the following amendment:

Add as follows:

"That the State, if unsuccessful in said prosecution, shall pay the costs of the same."

When

Mr. Montgomery called for the previous question; and

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Day of Kosciusko, Ellis, Green, Hardin, Hendricks, Herod, Holloway, Houghton, Hubbard, Huffstetter, Marsh, Martin, Millikin, Milligan, Montgomery, Morrison, Orth, Porter, Randall, Read, Robinson, Simpson, Stewart, Taber, and Waters—30.

Those who voted in the negative are,

Messrs. Garver, Hamrick, Harvey, Henry, James, Malott, Miller, Rousseau, Sleeth, and Walpole—10.

So the previous question was seconded.

Whereupon,

The Senate ordered the main question to be then put.

And the main question then being,

Will the Senate concur in the engrossed amendments of the House to said bill?

It was decided in the affirmative, and the amendment concurred in.

On motion by Mr. Holloway,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate contained in the message, entitled,

No. 82. A bill to incorporate the Richmond Bridge and Turnpike company.

ORDERS OF THE DAY.

Bills on their Third reading.

No. 174. A bill defining the boundaries of the county of Blackford ;

Which was read a third time, when

Mr. Buckles moved to recommit the bill to a select committee, with the following instructions :

That said committee be instructed to add the following section to the bill :

It shall be the duty of the sheriff of Delaware county to give notice by posting up written or printed notices containing a statement of the time, places, and object of said election, in three of the most public places in the vicinity of the said places of holding elections, and by publication three weeks successively in the Indiana Signal, immediately preceding said election ; for which said services it is hereby made the duty of the Board of county commissioners of Delaware county to make said sheriff a reasonable allowance out of the county treasury."

When

Mr. Milligan moved to lay the instructions upon the table,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Davis, Day of Kosciusko, Day of St. Joseph, Ellis, Green, Harvey, Hendricks, Herod, Hubbard, James, Malott, Milligan, Orth, Read, Simpson, Walpole, and Waters—18.

Those who voted in the negative are,

Messrs. Buckles, Dole, Garver, Hardin, Marsh, Martin, McCarty, Millikin, Porter, Robinson, and Sleeth—11.

No quorum voting ;

When,

By unanimous consent of the Senate, the amendment proposed by Mr. Buckles, as instructions to the committee, modified by striking out the word "Delaware" wherever it occurs, and insert the word "Blackford," and adding after the word "Signal" the words "if said paper shall then be published," was adopted.

And upon the passage of the bill,

The ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Cassatt, Coates, Davis, Day of Kosciusko, Day of St. Joseph, English, Green, Hamrick, Harvey, Hendricks, Herod, Hubbard, Huffstetter, James, Malott, Martin, McCarty, Milligan, Read, Simpson, Walpole, and Waters—23.

Those who voted in the negative are,

Messrs. Beard, Buckles, Dole, Ellis, Garver, Holloway, Marsh, Millikin, Orth, Porter, Robinson, Sleeth, and Taber—13.

So the bill passed.

No. 70. A bill declaring the meaning of the 10th section of an act approved January 13, 1845 ;

Which was read a third time,

And the question being,

Shall the bill pass ?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Marsh, Malott, Martin, McCarty, Miller, Porter, Randall, and Rousseau—9.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Day of K., Day of St. Joseph, Dole, Ellis, English, Evans, Garver, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Millikin, Milligan, Montgomery, Morrison, Orth, Read, Robinson, Simpson, Sleeth, Taber, Walpole, and Waters—35.

So the bill did not pass.

No. 189. A bill relative to canal scrip ;

Which was read a third time and passed.

No. 233. A bill to change the time of the meeting of the General Assembly of this State from the first Monday of December to the first Monday of January ;

Which was read a third time,

And the question being,

Shall the bill pass ?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Conduit, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Evans, Green, Hamrick, Herod, Holloway, Houghton, Huffstetter, James, Malott, Millikin, Milligan, Montgomery, Orth, Read, Rousseau, Simpson, Sleeth, Taber, Walpole, and Waters—29.

Those who voted in the negative are,

Messrs. Adams, Davis, Garver, Hardin, Harvey, Hendricks, Henry, Hubbard, Marsh, Miller, Morrison, Porter, Randall, Robinson, and Stewart—15.

So the bill passed.

No. 264. A bill on the subject of the Wabash and Erie Canal lands, East and West of Tippecanoe, and for other purposes ;

Which was read a third time, and passed.

Mr. Walpole asked and obtained leave, to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill of the House of Representatives, No. 95, entitled "The Central Plank Road Company," have had the same under consideration, and a majority of said committee instructed me to report said bill to the Senate, and recommend two amendments ; 1st, add the following (here insert 1st amendment.) 2d amendment, strike out Hendricks, and insert Putnam, in 17th section.

Strike out the 5th line of section 27th, being the following words : "with six per centum interest thereon ;"

Strike out the proviso to the 30th section ;

And when so amended recommend its passage ;

Add the following section :

SEC. — That three at least of said Directors shall be citizen stockholders in the counties of Hendricks and Putnam, and two at least shall be citizen stockholders of the county of Hancock, and all stock taken or subscribed by persons, corporations, or compa-

nies residing or living East of Indianapolis, shall be expended in the construction and repair of said road East of Indianapolis, and so much of said road as passes over or through Main Street in Greenfield, shall be constructed of gravel, and shall be at least thirty feet wide, and at least twelve inches in depth ;

Which amendment was adopted.

When Mr. Henry moved the following amendment :

Add the following proviso ;

Provided, That the President, Directors and Company of the Terre Haute and Richmond Rail Road Company, or any other Rail Road shall have the right and power of locating and constructing said Rail Road across said Plank Road, and of crossing the same at such points as shall be convenient or necessary, doing no injury to the same, more than is absolutely necessary.

Which amendment was adopted.

And,

On motion,

The rules were suspended, the amendments considered as engrossed, and the bill read a third time,

And upon the passage of the bill,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Evans, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Martin, Montgomery, Randall, Robinson, Rousseau, Simpson, Sleeth, Stewart, Walpole, and Waters—28.

Those who voted in the negative are,

Messrs. Adams, Coates, English, Garver, Green, Huffstetter, James, Marsh, McCarty, Malott, Millikin, Milligan, Miller, Morrison, Orth, Porter, Read, and Taber—18.

So the bill passed.

The President, *pro tem.*, laid before the Senate a communication from the Trustees of the Deaf and Dumb Asylum, in answer to the inquiries contained in a resolution of the Senate, adopted on the 11th instant ;

Which was read and referred, with the accompanying documents, to a select committee consisting of Messrs. Walpole, Porter, Morrison, Henry and Herod.

The following message was received from His Excellency, the Governor, by Mr. Carr, his Private Secretary :

MR. PRESIDENT :

I am directed by the Governor, to inform the Senate, that he did on yesterday, approve and sign the following bills :

No. 87. An act to amend an act entitled "an act to authorize the construction of Plank or Coal Roads," approved February 16, 1848.

No. 84. An act to incorporate the Rockport and Washington Rail Road Company ;

No. 133. An act to repeal an act entitled "an act to extend the jurisdiction of Justices of the Peace in the counties of Lake and Porter, approved February 14, 1848 ;

No. 63. An act to amend the several acts now in force incorporating the town of Greensburgh ;

No. 81. An act to incorporate the Madison Marine Insurance Company ;

No. 65. An act to incorporate the Brookville and Fairfield Turnpike Company ;

No. 117. An act for the relief of Martin Fitzpatrick ;

No. 212. An act for the extension of Illinois street in the city of Indianapolis ;

No. 86. An act in relation to the New Albany and Salem Rail Road Company ;

No. 177. An act to legalize certain proceedings of the Dearborn Circuit Court ;

No. 199. An act to repeal so much of an act entitled "an act to encourage the raising of sheep and hogs, and to increase the revenue of the State and the wealth of the people as relates to Jasper county ;

No. 175. An act to repeal an act therein named relating to St. Joseph county ;

No. 181. An act to change the mode of selecting Grand Jurors in the county of Orange ;

No. 157. An act to amend section 38, of chapter 19, of the Revised Statutes of 1843, and for other purposes, so far as they relate to the county of Lawrence ;

No. 174. An act to provide for the appointment of overseers of the poor in Gibson county ;

All of which originated in the Senate.

The following message was received from the House of Representatives by Mr. Dodd their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker of the House has this day signed the following enrolled act of the House :

No. 332. An act to incorporate the Rockville and Montezuma Plank Road Company ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

The Speaker of the House of Representatives has signed the following enrolled act of the House :

No. 282. An act to incorporate the Knox Insurance Company ; Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Cassatt moved to take from the table bill of the Senate entitled,

No. 24. A bill repealing a certain act therein named ;

And the amendments, if the House concurred in, with an amendment.

Mr. Davis asked and obtained leave to introduce the following bill entitled :

No. 269. A bill relative to the Probate Judge of Laporte county ; Which was read a first time, and

On motion by Mr. Davis,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Davis,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Green asked and obtained leave to introduce the following bill :

No. 270. A bill to amend an act entitled "an act to incorporate the town of Patriot in Switzerland county, and declare certain misprints in said act ;

Which was read a first time, and

On motion by Mr. Green,

The rules were suspended, and the bill read a second time, and

On further motion by Mr. Green,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

On motion by Mr. Robinson,

The usual order of business was suspended, and leave given to make reports from standing and select committees, and to introduce bills.

REPORTS FROM STANDING COMMITTEES.

By Mr. Henry from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary to whom was referred bill of the Senate No. 50, have had the same under consideration, and directed me to report the same back to the Senate, and recommend that it is inexpedient to legislate upon the subject ;

Which report was concurred in, and

The bill laid upon the table.

By Mr. Hubbard from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to which was referred bill of the Senate No. 179, has had the same under consideration, and directed me to report the same back, without amendment, and recommend its passage :

No. 179. A bill relative to the practice in the Probate Court ;

Was read a third time and passed.

By Mr. McCarty from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to which was referred bill No. 162, of the Senate to establish a seal for recorders, and for other purposes, have had the same under consideration, and have directed me to report the same back and recommend that it is inexpedient to legislate upon said subject ;

Which report was concurred in, and

The bill laid on the table.

By Mr. Randall, from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary to whom was referred, Senate Bill No. 149, entitled, "a bill to authorize the erection of mill dams in the Wabash river, and its tributaries, the Delphi dam," have had the same under consideration, and have instructed me to report the same to the Senate, without amendment, and recommend its passage.

And the bill was ordered to a third reading.

By Mr. Sleeth, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to whom was referred, House Bill No. 132, entitled, "an act regulating the fees of Justices of the Peace,

Mayors and Constables, and for other purposes," have had that subject under consideration, and directed me to report it back to the Senate, and recommend its passage.

Which report was concurred in, and the bill read a third time, and passed.

By Mr. Hendricks, from the committee on the Judiciary :

MR. PRESIDENT :

The judiciary committee to whom was referred, Bill of the House No. 97, have had the same under consideration, and have directed me to report the same back to the Senate, and recommend its passage.

Which report was concurred in, and the bill read a third time and passed.

By Mr. Henry, from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary to whom was referred, Bill of the Senate No. 159, entitled, "an act to define the duties of executors and administrators in certain cases," have had the same under consideration, and directed me to report the same back to the Senate, and recommend that it is inexpedient to legislate upon the subject.

Which report was concurred in, and the bill was indefinitely postponed.

By Mr. Robinson, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to whom was referred, Bill of the House No. 29, entitled, "an act to extend the duties of county Surveyors, have according to order, had the same under consideration, and have directed me to report the same back to the Senate, with one amendment, and when adopted, recommend its passage:

Amend by striking out the second section.

Which amendment was adopted, and,

On motion by Mr. Hardin,

The bill was laid upon the table.

By Mr. Henry, from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary, to whom was referred, Bill of the House No. 186, entitled, "an act in relation to the official mis-

conduct of county Commissioners," have had the same under consideration, and directed me to report the same back to the Senate, and recommend its passage.

Which report was concurred in, and the bill read a third time, and passed.

By Mr. McCarty, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to whom was referred, Bill No. 161 of the Senate, have had the same under consideration, and have directed me to report the same back, and recommend its passage.

Which report was concurred in, and,

On motion by Mr. McCarty,

The rules were suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Robinson, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to whom was referred, Bill of the House No. 33, have examined the same, and have directed me to report the same back to the Senate, and respectfully recommend its passage.

Which report was concurred in, and the bill read a third time, and passed.

By Mr. Porter, from the judiciary committee :

MR. PRESIDENT :

The judiciary committee to whom was referred, Bill of the Senate No. 167, entitled, "an act to amend sec. 427, of chapter 30, of the Revised Statutes of 1843, have had the same under consideration, and a majority of them have directed me to report the same back to the Senate, and recommend that it be laid on the table.

Which report was concurred in, and,

On motion by Mr. Porter,

The bill was laid upon the table.

By Mr. Randall, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee to whom was referred, Senate Bill No. 168, entitled, "a bill to authorize the county Commissioners of the several counties in the 10th Judicial Circuit to make an allowance

to Prosecuting Attorneys," have had the same under consideration, and directed me to report the same to the Senate, without amendment, and respectfully recommend its passage.

When,

On motion,

The bill was recommitted to a select committee, consisting of, Messrs. Rousseau, Adams, Houghton, and Beard.

By Mr. McCarty, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee, to whom was referred bill, No. 211, of the Senate, have had the same under consideration and have directed me to report the same back and recommend that it is inexpedient to legislate on said subject.

Which report was concurred in and the bill indefinitely postponed.

By Mr. Hendricks, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee, to whom was referred House bill, No. 138, entitled "an act to amend the 69th section of the 7th article of the 3d chapter of the Revised Statutes of 1843," have had the same under consideration and have directed me to report the same back to the Senate, and recommend its indefinite postponement.

Which report was concurred in and the bill indefinitely postponed.

By Mr. Robinson, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee, to whom was referred bill of the House, No. 131, entitled an act to amend the practice in chancery, have according to order, had the same under consideration and have directed me to report the same back to the Senate, and recommend that legislation thereon, is inexpedient, and respectfully ask to to be discharged from the further consideration thereof.

Which report was concurred in and the bill indefinitely postponed.

By Mr. Porter, from the committee on the judiciary.

Mr. Porter made the following report, from the judiciary committee :

MR. PRESIDENT :

The judiciary committee, to whom was referred bill of the Senate, No. 165, entitled a bill to repeal the 336th section of chapter forty of the Revised Statutes of 1843, have had said bill under consideration and have directed me to report the same back to the Senate, and recommend that it be laid on the table.

Which report was concurred in and the bill laid upon the table.
By Mr. Porter, from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee, to whom was referred bill of the Senate, No. 169, entitled an act to amend article eight of chapter 30, of the Revised Statutes of 1843, have had said bill under consideration and have directed me to report the same back to the Senate, and recommend its passage.

And,
On motion,
The rules were suspended, the bill considered as engrossed, read a third time and passed.
By Mr. McCarty, from the committee on military affairs :

MR. PRESIDENT :

The committee on military affairs, to whom was referred joint resolution of the House, No. 22, entitled a "joint resolution in relation to the second and third regiments of Indiana volunteers," have had the same under consideration and instructed me to report the same back to the Senate, and recommend its passage.

Which report was concurred in, the joint resolution read a third time, and passed.
By Mr. Rousseau, from the committee on military affairs :

MR. PRESIDENT :

The committee on military affairs, in accordance with a resolution of the Senate, instructing that committee to enquire into the expediency of reporting a joint resolution praying Congress to extend to soldiers of the late war with Great Britain, the provisions of the act of Congress, approved, February, 1847, have had that subject under consideration and have directed me to report the accompanying resolutions and respectfully recommend their passage.

No. 271. A joint resolution in relation to soldiers of the late war with Great Britain ;

Was read a first time ; and,
On motion by Mr. Rousseau,
The rules were suspended, the joint resolution read a second time ; and,
On further motion by Mr. Rousseau,
The rules were further suspended, the joint resolution considered as engrossed, read a third time and passed.
By Mr. Huffstetter, from the committee on claims :

MR. PRESIDENT :

The committee on claims, to whom was referred the petition of Robert B. Duncan, have had the same under consideration and directed me to report the following bill and recommend its passage :
No. 272. A bill for the relief of Robert B. Duncan, of Marion county ;

Was read a first time ; and,
On motion by Mr. Huffstetter,
The rules were suspended, the bill read a second time,
And,
On further motion by Mr. Huffstetter,
The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

MR. PRESIDENT :

The committee on the State Bank have instructed me to report the following bill, and recommend its passage :
No. 273. An act authorizing the sale of certain Sinking Fund lands ;

Which was read a first time, and,
On motion,
The rules were suspended, and the bill read a second time, and,
On further motion,
The rules were further suspended, the bill considered as engrossed, read a third time, and passed.
By Mr. Waters, from the committee on agriculture :

MR. PRESIDENT :

The committee on agriculture, to whom was referred a resolution of the Senate instructing said committee to report a bill so amending the estray laws as to provide that when any horse, mare or gelding shall be taken up estray, the person so taking up shall not be allowed for keeping such horse, mare or gelding during the time the same is so kept, if the same is a work-horse, have had the same

under consideration, and instructed me to report the accompanying bill, and recommend its passage :

No. 274. A bill to amend the estray laws ;

Was read a first time, and,

On motion by Mr. Waters,

The rules were suspended, and the bill read a second time, and,

On further motion by Mr. Waters,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Millikin, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the House, No. 106, have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage.

And the bill was read a third time and passed.

By Mr. Millikin, from the committee on corporations :

MR. PRESIDENT :

The committee on corporations, to whom was referred bill of the House, No. 12, have had the same under consideration, and directed me to report it back to the Senate for its action ;

When Mr. Hubbard moved the following amendment to the bill :

"Strike out the 17th section ;"

Which amendment was adopted.

And,

On motion,

The rules were suspended, the amendments considered as engrossed, the bill read a third time, and passed.

By Mr. Robinson, from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the House, No. 159, have directed me to report the bill back with one amendment, and when so amended, recommend its passage :

Amend by striking out the second section, and add the following—

Sec. 2. That the Directors of the Rushville and Lawrenceburgh Railroad have power, and they are hereby authorized to construct an arm or branch to said road, commencing at the town of Greensburg, in the county of Decatur, provided said road should be located by or through said town ; and if said road should not be located by

or through said town, then said arm or branch shall be commenced at the point of said Rushville and Lawrenceburgh Road nearest to said town of Greensburg, thence through or by said town of Greensburg by the way of Milford, Edinburg, and Martinsville, thence on the best and most practicable route to the coal region on the west side of Indiana at such point as the Company may select.

Sec. 3. For the purpose of enabling said Company to construct said arm or branch, it shall and may be lawful for said Company to increase their capital stock to any additional amount not exceeding four hundred thousand dollars, divided into shares of fifty dollars each, and for the construction of said arm or branch said Company shall have power to appoint agents, clerks, treasurers, surveyors, engineers, superintendents, artists, and all other officers and persons necessary to carry into effect the objects of this act.

Sec. 4. The corporation may, for the purpose of constructing said arm or branch, cause books to be opened for subscription to the capital stock herein allowed at such time and place or places as they may choose, due notice of which shall be given in at least one newspaper published in the town, city, or county where such books are proposed to be opened.

Sec. 5. It shall be lawful for any person of lawful age, for the agent of any corporate body, for the agent of State, or of the United States on behalf of the same, to subscribe for any amount of capital stock ; and the books shall be kept open for any such space of time, and at such place or places as the corporation shall choose, and may be re-opened at any time, and for the purpose of constructing said arm or branch said Company may, by an agent, offer for sale in any other State any amount of stock upon such terms and conditions as may be thought advisable ; and said Company shall have power, on the credit of the corporation, to borrow money on such terms as may be agreed on by the parties for the construction of said arm or branch, and the corporation may require such sum of money, to be paid at the time of subscribing, not exceeding five dollars on each share, as they may think proper, but such requisition shall be made known by being inserted in the notice for opening the books, and any further payments of stock shall be under the control of the corporation.

Sec. 6. Certificates of stock shall be given signed and countersigned, and transferred on the books of the corporation, subject to the same rules provided in the tenth section of the act to incorporate the Rushville and Lawrenceburgh Railroad Company.

Sec. 7. The corporation shall have power to call for such portion of the stock subscribed for such arm or branch, not exceeding twenty-five dollars on each share in any one year, as they may think proper, to be paid at such time and place as may be designated, by giving sixty days notice, which notice shall and may be given in the same way and manner, and subject to the same rules and regulations, and the rights of the parties governed and deter-

mined by the provisions of the eleventh section of the act incorporating said Rushville and Lawrenceburg Railroad Company.

Sec. 8. The corporation by these agents shall have full power to construct on said route a single or double track; and for the purpose of making a survey, examination and location, and searching for stone, wood, gravel, and other materials necessary to construct said road, shall have all the rights and liabilities set out and contained in the thirteenth section of the act referred to in the sixth section of this act.

Sec. 9. It shall be lawful for the corporation, either before or after the location of said arm or branch, to obtain the right of way from any persons through whose land said road may pass, and also, donations in stone, gravel, or any other materials for the construction of said road, and may receive by donation any land, labor, money, or property for to aid in the construction of said road. In the exercise of such rights, privileges, and benefits the said corporation shall and may be governed by the provisions of the fourteenth section of the charter of said Rushville and Lawrenceburg Railroad Company.

Sec. 10. Should said company fail to procure the right of way, in consequence of a refusal of persons through whose land said road may run, then and in that case said company may proceed to procure the same, agreeable to the mode pointed out and described in the fifteenth section of the charter, referred to in the eighth section of this act.

Sec. 11. When even it shall so happen that the owner or owners of any land, or materials sought to be procured for the benefit of said road shall be minors, insane persons, or reside out of the county, then and in that case the same proceedings may be had, specified and set out in the sixteenth section of the charter of the Rushville and Lawrenceburg Railroad Company, referred to in this act.

Sec. 13. That if it should be found necessary and advantageous to the location and construction of said arm or branch, to lay the same along or upon any State or county road, said company shall have the same right, and be governed by the same rules, and proceed in the same way, and be subject to the same liabilities contained and provided in the seventeenth section of the act incorporating the said Rushville and Lawrenceburg Railroad Company.

Sec. 13. When said corporation shall have procured the right of way, they shall enjoy the same privileges and benefits contained in the eighteenth section of the charter above referred to.

Sec. 14. That said company in adopting the kind of carriages to be used on said road, and in the transporting of passengers and freight, constructing turns, gates, bridges, aqueducts, buttresses, and warehouses, and in charging tolls, and the manner and mode of using said road shall and may be governed by the twenty-first section of the charter of said Rushville and Lawrenceburg Company.

Sec. 15. Said company in charging and receiving tolls, and ma-

king dividends of profits shall and may be governed by the twenty-second and twenty-third sections of the charter above referred to, and said company for the purpose of protecting said road from injury, shall have all the rights and privileges secured and guaranteed by the twenty-fourth section of the charter above in this section referred to.

Sec. 16. It shall and may be lawful for the county commissioners for the county through which the road passes for and on behalf of said county, to authorize by an order as much of the stock to be taken as they may think proper, and should the capital stock allowed by this act prove insufficient to accomplish the intended work, the corporation may increase the same.

Sec. 17. In the construction of said arm or branch, said corporation shall have and possess all the rights and privileges, and be subject to all the liabilities contained in the charter of said Rushville and Lawrenceburg Railroad, so far as the same may be applicable and proper. This act to take effect and be in force from and after its passage.

The question being upon concurring in the report, and before the same was decided,

On motion,

The bill and pending amendments were laid upon the table.

By Mr. Rousseau from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill of the House No. 249, entitled, "a bill for the relief of John Smith of Owen county," have had that subject under consideration, and have directed me to report back the same to the Senate with an amendment, and when so amended, to recommend its passage.

Amendment.

Amend by adding the following proviso, to-wit :

Provided, That the said sale and conveyance of said real estate, shall not be valid until the Probate Judge of said county, shall approve the same in writing on the back of said deed of conveyance; and before such approval shall be made, said Judge shall be satisfied that such conveyance is not made with a view, and will not wrongfully deprive the wife of said Smith of her right of dower in said real estate;

Which amendment was adopted,

And the amendment considered as engrossed, and the bill read a third time and passed.

By Mr. Buckles from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the House No. 248, have had the same under consideration, and directed me to report the same back and recommend its passage ;

And the bill was read a third time and passed.

By Mr. Evans from a select committee :

JAMES G. READ, *President pro tem. of the Senate* :

The select committee to whom was referred bill of the Senate No. 267, entitled, a bill relative to the fees of the officers of Henry county, have had the same under consideration and have authorized me to report it back with the following amendments, and when so amended to recommend its passage.

Amendments.

In the 1st Section, strike out "February," and insert "September."

In the 2nd Section, strike out from the third line the word "six" and insert the word "eight;" and in the 11th line the word "four," and insert the word "five."

And in the third line on the second page, strike out the word "four," and insert the word "five."

And in the 8th Section, strike out all after the word "passage."

Which amendments were adopted ; and,

On motion,

The rules were further suspended and the bill considered as engrossed, read a third time and passed.

By Mr. Hubbard from a select committee :

MR. PRESIDENT :

The select committee to which was referred House bill No. 276, entitled, "a bill for the election of Prosecuting Attorneys in the 4th and 8th Judicial Circuits, has had the said bill under consideration and directed me to report the same back with the following amendment, and on the adoption of said amendment, recommend its passage.

Amendments.

Add the following section :

SEC. . The provisions of this act shall not extend to the county of Cass.

In the 7th Section strike out the word "Cass" wherever it occurs.

Which amendments were adopted ; and,

The same considered as engrossed, and the bill read a third time and passed.

By Mr. Robinson from a select committee :

MR. PRESIDENT :

The select committee to whom was referred sundry petitions on the subject of retailing of spirituous liquors, have directed me to report the following bill and recommend its passage :

No. 275. A bill to amend an act to authorize the people of the several counties to prohibit the retailing of spirituous liquors ;

Was read a first time ; and,

On motion,

The rules were suspended and the bill read a second time ; when, Mr. Orth moved to add the county of "Tippecanoe" to the bill.

Which amendment was adopted.

Mr. Green moved to extend the provisions of the bill to "Switzerland" county ;

Which amendment was adopted.

Mr. Adams moved to extend the provisions of the bill to the county of "Brown ;"

Which amendment was adopted ; and,

On further motion,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Houghton, from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the House No. 206, have had the same under consideration, and directed me to report it back to the Senate, and recommend its passage.

And the bill was read a third time and passed.

By Mr. Milligan, from a select committee :

MR. PRESIDENT :

The select committee to whom was referred House bill No. 166, have had the same under consideration, and have directed me to report it back to the Senate, and respectfully recommend its passage.

And the bill was read a third time and passed.

BILLS INTRODUCED.

By Mr. Adams,

No. 276. A bill to amend an act entitled "an act to incorporate the town of Bloomington in the county of Monroe.

Which was read a first time ; and,

On motion by Mr. Adams,

The rules were suspended, and the bill read a second time, and

On further motion,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

By Mr. Adams,

No. 277. A bill for the relief of the heirs of Samuel Goldsberry deceased ;

Which was read a first time ; and,

On motion by Mr. Adams,

The rules were suspended, the bill read a second time, and referred to the committee on the judiciary.

By Mr. Beard,

No. 278. A bill to incorporate the Waveland Academy in Montgomery county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

By Mr. Cassatt,

No. 279. A bill to incorporate the Lagro, Marion, and Jonesboro' Plank Road company ;

Which was read a first time ; and,

On motion,

The rules were suspended, the bill read a second time ; and,

On further motion,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Davis,

No. 280. A bill allowing *grace* on all bills of exchange.

Was read a first time ; and,

On motion,

The rules were suspended and the bill read a second time ; and,

On further motion,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Davis,

No. 281. A bill to amend an act entitled "an act to require certain statutes to be published in some newspaper at Indianapolis, and for other purposes ;"

Was read a first time, and,

On motion,

The rules were suspended and the bill read a second time ; and,

On further motion,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Dole,

No. 282. A bill to incorporate the Grand and Subordinate Temples of Honor of the State of Indiana ;

Was read a first time, and,

On motion by Mr. Dole,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Dole,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Graham,

No. 283. A bill to incorporate the Newburgh Cotton Mill ;

Was read a first time ; and,

On motion by Mr. Graham,

The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Graham,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Hendricks,

No. 284. A bill to legalize certain roads in Jefferson county ;

Was read a first time ; and,

On motion by Mr. Hendricks,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Hendricks,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

By Mr. Walpole,

No. 285. A bill fixing the times of holding the February and August terms of the Hancock Probate Court ;

Was read a first time, and,

On motion by Mr. Walpole,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Walpole,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Green asked and obtained leave to present the petition of Thomas J. Plummer and others, citizens of Rising Sun, remonstrating against any alteration in the Rising Sun City Charter ;

Which,

On motion by Mr. Green,

Was referred to a select committee consisting of Messrs. Green, Walpole and English.

Mr. Hamrick from the committee on enrolled bills made the following report :

MR. PRESIDENT :

The committee on enrolled bills have presented to the Governor for his approval and signature, bills of the Senate, Nos. 177, 197, 86, 157, 174, 181, 175 ; also bills of the House No. 189, 185, 44, 104, 110, 146, 162, 175, 182, and 220.

Mr. Hamrick, from the committee on enrolled bills made the following report :

MR. PRESIDENT :

The committee on enrolled bills have examined and compared enrolled bills of the Senate, No. 212, 177, 157, 174, 181, and 175 with engrossed bills thereof and find them correctly enrolled.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill hereof :

No. 298. An act for the more effectual, just and equal assessment of personal property, money, credits and capital stock of moneyed and stock corporations ;

In which the concurrence of the Senate is respectfully requested.

No. 298. A bill for the more effectual, just and equal assessment of personal property, money, credits and capital stock of moneyed and stock corporations ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time ; when,

When Mr. Davis moved the following amendments :

Amend as follows :

13th line, 8th section ; strike out the word "number," and insert value."

14th line ; strike out the words, "and their value."

15th line ; insert after the word "interest," the words "over and above the amount upon which he is paying interest."

16th line ; after the word "corporations" insert "other than Bank stock."

Strike out section 13, and insert the following :

Sec. 13. Each township assessor shall, on or before the first Monday of June, annually, make out and deliver to the Auditor of this county, in tabular form and alphabetical order, the names of the several persons and companies in whose names any personal property, moneys or credits, shall have been listed in his township, and in one column opposite each name the aggregate value of all articles of personal property of whatever kind enumerated in the 8th section (other than corporation stock) as well as the value of all unenumerated articles of personal property, and in another column the value of corporation stock.

Add after the word "same," at the end of the 15th section, the following : "In packages by townships."

Add at the end of the 18th section as follows : "And the several County Auditors shall procure the necessary blank lists to be printed and paid for as other county expenses."

When,

On motion,

The bill and pending amendments were referred to the committee on finance.

On motion by Mr. Miller,

The Senate resolved itself into a committee of the whole, and took under consideration House bill entitled,

No. 239. A bill to raise revenue for State purposes ;

And having spent some time therein, the committee rose and reported the bill back to the Senate without amendment, and asked to be discharged from the consideration thereof ;

And the committee was discharged ; and,

The bill read a third time and passed.

Mr. Stewart moved to suspend the previous order of business and take up the message of the House containing the bill, entitled,

No. 167. A bill to increase and extend the benefits of common schools ;

And the ayes and noes being demanded by two Senators, They were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Day, of St. Joseph, Dole, Ellis, English, Graham, Green, Harvey, Hendricks, Henry, Herod, Holloway, Malott, McCarty, Millikin, Montgomery, Morrison, Orth, Read, Robinson, Rousseau, Simpson, Sleeth, Stewart, and Waters—29.

Those who voted in the negative are,

Messrs. Adams, Buckles, Evans, Garver, Hamrick, Hardin, Houghton, Huffstetter, James, Milligan, Miller, Porter, and Walpole—13.

So the previous order of business was suspended.

When Mr. Miller moved that the Senate adjourn.

And the ayes and noes being demanded by two Senators, They were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Davis, Day of St. Joseph, Ellis, English, Evans, Garver, Green, Harvey, Herod, Houghton, Hubbard, James, McCarty, Miller, Morrison, Porter, and Walpole—18.

Those who voted in the negative are,

Messrs. Beard, Buckles, Cassatt, Coates, Conduit, Day of St. Joseph, Dole, Hamrick, Hendricks, Henry, Millikin, Milligan, Montgomery, Orth, Read, Robinson, Rousseau, Simpson, Sleeth, Stewart, and Waters—21.

So the Senate did not adjourn.

When Mr. English moved that the Senate adjourn.

And the ayes and noes being demanded by two Senators,
They were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Davis, English, Evans, Garver, Green, Hamrick, Harvey, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Miller, Morrison, Porter, Rousseau, Sleeth, and Walpole—21.

Those who voted in the negative are,

Messrs. Beard, Buckles, Cassatt, Coates, Conduit, Day of St. Joseph, Dole, Hendricks, Malott, Millikin, Milligan, Montgomery, Orth, Read, Robinson, Simpson, Stewart, and Waters—18.

So the Senate adjourned.

SATURDAY MORNING, JANUARY 13, 1849.

The Senate met.

On motion by Mr. Randall,

The Senate dispensed with reading the journal.

Mr. Read asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill, No. 147, entitled "A bill to amend an act to incorporate the Indiana Canal

Company," approved December 6, 1848, have had the same under consideration, and have made the following amendment, which, when adopted, recommend its passage :

Strike out all in the 4th section after the word "State," and insert the following—"to grant a charter to another Company to construct a Canal, commencing at or near Jeffersonville, and terminating at or below the city of New Albany ;"

Which amendment was adopted ; and,

On motion by Mr. Read,

The amendments were considered as engrossed, the bill read a third time, and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill thereof :

No. 167. An act to increase and extend the benefits of Common Schools.

In which the concurrence of the Senate is respectfully requested.

No. 167. A bill to increase and extend the benefits of Common Schools.

Was read a first time, when

Mr. Orth moved to suspend the rules, and read the bill a second time now, and,

And the ayes and noes being demanded by two Senators they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Coates, Conduit, Cornett, Davis, Day of St. Joseph, Dole, Ellis, Green, Hendricks, Herod, Holloway, Hubbard, James, Marsh, Martin, McCarty, Millikin, Milligan, Montgomery, Morrison, Orth, Read, Robinson, Simpson, Sleeth Stewart, Taber and Waters—30.

Those who voted in the negative are,

Messrs. Adams, English, Garver, Hamrick, Hardin, Harvey, Henry, Houghton, Huffstetter, Miller, Porter, and Rousseau—12.

So the rules were suspended, and the bill read a second time, and,

On motion by Mr. Miller,

The bill was committed to the committee of the whole Senate,

No. 103. An act to amend article 2 of chapter 35 of the Revised Statutes of 1843 ;

With one amendment, in which the concurrence of the Senate is respectfully requested.

On motion by Mr. Huffstetter,

The Senate concurred in the engrossed amendment of the House to the engrossed amendment of the Senate, to the engrossed bill of the House, contained in the message aforesaid, entitled,

No. 103. A bill to amend article 2 of chapter 35 of the Revised Statutes of 1843.

The following message received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bill thereof :

No. 261. An act to provide for the speedy completion of the Indiana Hospital for the Insane ;

In which the concurrence of the Senate is respectfully requested.

No. 261. A bill to provide for the speedy completion of the Indiana Hospital for the Insane ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and passed to a third reading.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate :

No. 19. An act to amend an act entitled " An act to reduce the law incorporating the city of Madison and the several acts amendatory thereto into one act, and to amend the same, approved February 14th, 1848 ;

No. 54. An act to amend the Peru and Indianapolis Railroad Charter ;

Without amendment.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof, to-wit :

No. 325. An act (of the House) to change the name of Lewisburg to that of Eden ;

In which the concurrence of the Senate is respectfully requested.

No. 325. A bill to change the name of Lewisburg to that of Eden ;

Was read a first time, and,

On motion by Mr. Walpole,

The bill read a second time, and,

On further motion by Mr. Walpole,

The rules were suspended, the bill read a third time and passed.

The following message was received from the House of Representatives, by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, without amendment :

No. 158. An act concerning the Lafayette and Indianapolis Railroad Company ;

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 348. An act for the relief of Martha Moderwell, widow of Adam Moderwell, deceased ;

In which the concurrence of the Senate is respectfully requested.

No. 348. An act for the relief of Martha Moderwell, widow of Adam Moderwell, deceased ;

Was read a first time, and,

On motion by Mr. Hendricks,

The rules were suspended, the bill read a second time, and,

On motion by Mr. Robinson,

The bill was laid upon the table.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have receded from their engrossed amendment, No. 2, to engrossed bill of the Senate,

No. 42. An act defining the duties of county treasurers in the several counties therein named.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

The Speaker of the House of Representatives has signed the following enrolled acts of the Senate :

Nos. 184 and 185 ;

Which I am directed to bring to the Senate, for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

The Speaker of the House of Representatives has signed the following enrolled acts of the House :

Nos. 202, 49, 179, 193, 190, 127, 173, 201, 204, 208, 200, 323, and 244 ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 238. An act making general appropriations for the year 1849, and for other purposes ;

In which the concurrence of the Senate is respectfully requested.

No. 238. A bill making general appropriations for 1849 ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and, Referred to the committee on finance.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 34. An act to regulate the fees and salaries of certain officers in Delaware county ;

In which the concurrence of the Senate is respectfully requested.

No. 34. A bill to regulate the fees and salaries of certain officers in Delaware county ;

Was read a first time, and,

On motion by Mr. Garver,

The rules were suspended, the bill read a second time, and referred to a select committee, consisting of

Messrs. Garver, Buckles, and Hardin.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof :

No. 271. An act to incorporate the town of Greencastle, in the county of Putnam ;

In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate :

No. 118. An act for the benefit of the Ohio and Indianapolis Rail Road Company, and changing the name and style of said Company ;

No. 120. An act to incorporate the Fort Wayne and Bluffton Turnpike Company ;

With sundry amendments thereto,
In which the concurrence of the Senate is respectfully requested.

And,

On motion by Mr. Read,
The Senate concurred in the engrossed amendments of the House to the said engrossed bill of the Senate, No. 118.

And,

On motion by Mr. Randall,
The Senate concurred in the engrossed amendment of the House to the said engrossed bill of the Senate, No. 120.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled bill of the Senate :

No. 147. An act to change the name of the towns of Columbia and Smithland, and for other purposes ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Randall asked and obtained leave to introduce the following joint resolution :

No. 286. A joint resolution relative to the script account between the State of Indiana and the Trustees of the Wabash and Erie Canal ;

Was read a first time, and,

On motion by Mr. Randall,
The rules were suspended, and the joint resolution read a second time ; when

Mr. Cassatt moved the following amendment :

Add the following proviso :

"*Provided*, That no action of said auditor and treasurer shall be construed so as to permit the trustees of the Wabash and Erie canal to refuse canal land scrip when tendered in pay for debts due said Trustees, for Wabash and Erie canal lands."

Which amendment was adopted ; and,

On further motion by Mr. Randall,
The rules were further suspended, the joint resolution considered as engrossed, and read a third time, and passed.

Mr. Davis asked and obtained leave to introduce the following bill :

No. 287. A bill authorizing the trustees of school district number thirteen in township thirty-six north range three west, in Laporte county, to levy a tax to build a school-house ;

Which was read a first time, and,

On motion by Mr. Davis,
The rules were suspended, the bill read a second time ; and,

On further motion by Mr. Davis,
The rules were further suspended, and the bill considered as engrossed, read a third time, and passed.

Mr. Millikin asked and obtained leave to introduce the following bill :

No. 288. A bill in relation to school houses in Dearborn county ;
Was read a first time, and,

On motion by Mr. Millikin,
The rules were suspended, the bill read a second time, and,

On further motion by Mr. Millikin,
The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Rousseau asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill of the Senate No. 168, entitled "a bill to authorize the boards of commissioners of the several counties of the 10th judicial circuit, to make an allowance to prosecuting attorneys," have had that subject under consideration, and have directed me to report the same back to the Senate with an amendment, and when so amended to recommend its passage.

Amendment referred to :

Amend by striking out from the enacting clause and inserting the following :

SECTION 1. That the boards of commissioners of the several counties of the tenth judicial circuit are hereby authorized and required to make such allowance to the prosecuting attorneys of their counties as they may deem right and just for services necessarily rendered said counties, the same to be paid out of the treasury of the proper county.

Sec. 2. That the prosecuting attorneys in said district shall hereafter be allowed a docket fee of two dollars and fifty cents on all judgments on forfeited recognizances, to be recovered and collected in the same manner as was authorized by the Revised Code of 1838.

Which amendment was adopted.

And,

On motion by Mr. Rousseau,
The rules were suspended, and the bill considered as engrossed, read a third time, and passed.

When,

Mr. Rousseau moved to amend the title by striking out and inserting the following :

A bill relative to prosecuting attorneys in the tenth judicial circuit.

Which amendment was adopted.

And,

On motion by Mr. Robinson,

The previous order of business was suspended, and

House bill No. 159 was taken from the table, and

The question being upon the adoption of the amendment proposed by the select committee,

Mr. Herod proposed the following amendment to the amendment:

Add the following proviso:

"Provided, Said road shall not be located within less than ten miles distance parallel from the Milford and Columbus Railroad as now located."

The question being upon the adoption of the amendment to the amendment,

And before the same was taken,

On motion,

The Senate adjourned.

Two o'clock, P. M.

The Senate met.

Mr. Coates asked and obtained leave to present the Remonstrance of J. G. Lucas and others, of Fountain county, against a division of the same; which,

On motion by Mr. Coates,

Was laid on the table.

Mr. Robinson moved to suspend the order of business, and resume the consideration of House bill, entitled,

No. 159. A bill to extend the Lawrenceburgh and Rushville Railroad to the coal region near Point Commerce, in Green county, via Martinsville, Gosport, and Spencer;

And the question being upon the suspension of the orders of business; and,

The ayes and noes being demanded by two Senators,

They were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Davis, Day, of Kosciusko, Garver, Har-

din, Harvey, Holloway, Houghton, Huffstetter, Malott, McCarty, Millikin, Montgomery, Orth, and Robinson—16.

Those who voted in the negative are,

Messrs. Coates, Conduit, Dole, Ellis, Graham, Hamrick, Hendricks, Herod, Hubbard, James, Marsh, Milligan, Miller, Porter, Read, Simpson, Sleeth, Stewart, and Taber—18.

So the Senate refused to suspend the previous order of business.

On motion by Mr. Orth,

The committee of the whole was discharged from the consideration of bill of the House, entitled,

No. 167. A bill to increase and extend the benefits of common schools.

Whereupon, the Senate proceeded to the consideration of the same; when;

Mr. Orth proposed the following amendment:

Amend the first section as follows—

Strike out all of said section after the 11th line;

Which amendment was not adopted.

Whereupon, Mr. Orth moved the following amendment:

Amend as follows—

Strike out section 7, and insert the following in lieu thereof:

"The Treasurers of the several counties shall annually on the second Monday in March make distribution of the county common school fund (upon the proper warrant of the county auditor or clerk doing county business) to the several townships of the county; which payment shall be made to the township treasurers, and in making such distribution the treasurers shall so apportion the county common school fund as to equalize the amount thereof in each township, according to the number of scholars therein."

And upon the adoption of the amendment,

The ayes and noes being demanded by two Senators,

They were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Cassatt, Garver, Hamrick, Hardin, Harvey, Hendricks, Holloway, Hubbard, James, Marsh, Malott, Milligan, Miller, Orth, Porter, Randall, Read, Robinson, and Simpson—20.

Those who voted in the negative are,

Messrs. Beard, Buckles, Coates, Conduit, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Green, Henry, Herod, Houghton, Huffstetter, McCarty, Millikin, Montgomery, Morrison, Sleeth, Stewart, Taber, and Walpole—23.

So the amendment was not adopted.

When Mr. Stewart moved the following amendment:

Amend as follows—

Amend the 23d line of the first section by striking out "one" and inserting "five" in lieu thereof.

And upon the adoption of said amendment,

The ayes and noes being demanded by two Senators,

They were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Cassatt, Coates, Day of St. Joseph, English, Garver, Green, Hardin, Henry, Houghton, Huffstetter, Malott, Milligan, Miller, Morrison, Porter, Randall, Sleeth, and Stewart—20.

Those who voted in the negative are,

Messrs. Beard, Conduit, Davis, Day, of Kosciusko, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Hubbard, Marsh, McCarty, Millikin, Montgomery, Orth, Read, Robinson, Simpson, and Waters—21.

So the amendment was not adopted.

When Mr. Orth moved the following amendment:

Amend section thirteen as follows:

After the word "same" in the third line of the section, insert, "or complying with contracts already entered into for the construction or repair thereof;"

And upon the adoption thereof,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Garver, Hardin, Harvey, Hendricks, Henry, Millikin, Milligan, Miller, Orth, Porter, Randall, Robinson, and Taber—15.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Coates, Conduit, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Green, Hamrick, Herod, Holloway, Houghton, Huffstetter, James, Martin, Malott, McCarty, Montgomery, Morrison, Read, Simpson, Sleeth, Stewart, and Waters—26.

So the amendment was not adopted.

Whereupon,

Mr. Hamrick moved to postpone said bill until the first Monday in August next; and,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Garver, Hamrick, Hardin, Harvey, Miller, and Porter—7.

Those who voted in the negative are,

Messrs. Beard, Buckles, Cassatt, Coates, Conduit, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Green, Hendricks, Henry, Herod, Holloway, Houghton, Huffstetter, James, Marsh, Malott, McCarty, Millikin, Milligan, Montgomery, Morrison, Orth, Randall, Read, Robinson, Simpson, Sleeth, Stewart, Taber, Walpole, and Waters—36.

So the bill was not postponed.

Whereupon,

Mr. Morrison moved the following amendment:

Amend as follows:

Strike out "Section 5," and insert in lieu thereof the following:

SEC. 5. For their compensation for the discharge of the said several duties prescribed by the foregoing section, or which may be imposed by this act, the said County Auditor shall be allowed upon the amount of the Congressional township and school district funds, and other school funds on loan in his county, at the time he makes his annual settlement with the board doing county business, and on which interest shall have been paid for the current year, and upon the amount raised by taxation in aid thereof, one half of one per cent, which said compensation shall be in full for all such services to be performed by the said Auditor, and the said county Treasurer shall be allowed upon the said sums one-half of one per cent, which allowance shall be in full of all services in collecting and disbursing the said common school funds.

And the question being upon the adoption of the amendment, and, The ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Cassatt, Coates, Davis, Garver, Green, Henry, Houghton, Huffstetter, Marsh, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Robinson, Sleeth, Stewart, Taber, Walpole and Waters—24.

Those who voted in the negative are,

Messrs. Beard, Conduit, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Hamrick, Hardin, Harvey, Hendricks, Herod, Holloway, Hubbard, James, Montgomery, Orth, Porter, Read, and Simpson—20.

So the amendment was adopted.

Whereupon,

Mr. Ellis moved to reconsider the the vote last taken, and the Senate refused to reconsider the same ; when,

Mr. Hardin moved the following amendment :

Amend last section of the bill, by inserting the following :

"Provided, however, That the following counties, to-wit : Johnson, Harrison, Delaware, Orange, Hamilton, Boone, Gibson, Green, Owen, Monroe, Brown, Morgan, Lawrence, Washington, Floyd, Decatur, Pike, Dubois, Rush, Hendricks, Putnam, Davis, Martin, Crawford, Jacks'n, Vigo, Sullivan, Clay, Jay, Randolph, Blackford, Franklin, Parke, St. Joseph, Marshall, Fulton, Miami, Wabash, Cass, Howard, and Pulaski, shall be, and they are hereby exempted from the provisions of this act, until said counties respectively assent thereto, and for the purpose of securing such assent, at the annual August elections held in the several townships in said counties, the Inspectors shall propound to each person when he presents his ballot, the following question, to-wit : Are you in favor of the act of 1848-'9, to increase and extend the benefits of Common Schools? The answer to each of which interrogatories, shall be noted down by the clerks of such election, and the number voting in the affirmative, and negative certified by the Inspectors of said election to the county Auditors of their respective counties—at the same time required by law to make returns of such election, and whenever a majority of those voting at such township August election in any of said counties are in favor of this act, then the same shall take effect and be in force in such county and until such assent is given in each of said counties, the vote for and against this act, at each succeeding August election, shall be taken as above, in this section provided, in each of said counties refusing its assent thereto.

It shall be the duty of the Sheriffs of said counties, annually, during the pending of the question as to the adoption of this act, to give notice thereof, by posting up written notices at each precinct, or place of voting in their several counties ; and by publishing the same in a newspaper, when one is published in the county, at least thirty days, before such election. All laws on the subject of Common Schools, now in force in said counties, to continue in force herein, until this act shall have been adopted, by them severally, as herein provided, anything in this act to the contrary notwithstanding.

The question being upon the adoption of the amendment, when,

Mr. Marsh moved to lay the amendment upon the table, and the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, Herod, Holloway, Hubbard, Marsh, McCarty, Millikin, Montgomery, Orth, Simpson, Stewart, Taber, and Waters—18.

Those who voted in the negative are,

Messrs. Adams, Buckles, Coates, Conduit, Davis, English, Garver, Green, Hamrick, Hendricks, Henry, Houghton, Huffstetter, James, Malott, Milligan, Miller, Morrison, Porter, Randall, Read, Robinson, Rousseau, and Sleeth—26.

So the amendment was not laid upon the table.

Whereupon,

Mr. Marsh moved the previous question, and upon seconding the same, the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Day of Kosciusko, Day of St. Joseph, Ellis, Herod, Holloway, Marsh, Millikin, Montgomery, Simpson, Sleeth, Taber and Waters—13.

Those who voted in the negative are,

Messrs. Adams, Buckles, Cassatt, Coates, Conduit, Davis, Dole, English, Garver, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Houghton, Hubbard, Huffstetter, Malott, McCarty, Milligan, Miller, Morrison, Orth, Porter, Randall, Read, Robinson, Rousseau, Stewart, and Waters—31.

So the Senate refused to second the call for the previous question.

The question again recurring on the adoption of the amendment when,

Mr. Beard moved so to amend said amendment, so as to make its provisions applicable to all the counties in this State, and upon the adoption of the amendment to the amendment the ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Coates, Davis, Day, of Kosciusko, Day, of St. Joseph, English, Hamrick, Hardin, Harvey, Hendricks, Houghton,

Huffstetter, McCarty, Millikin, Milligan, Miller, Randall, Robinson, Rousseau, Stewart, and Walpole—21.

Those who voted in the negative are,

Messrs. Adams, Buckles, Cassatt, Conduit, Dole, Ellis, Garver, Green, Henry, Herod, Holloway, Hubbard, James, Marsh, Malott, Montgomery, Morrison, Orth, Porter, Read, Simpson, Sleeth, and Waters—24.

So the amendment to the amendment was not adopted, when, Mr. Marsh moved to reconsider the vote last taken, and the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Davis, Day, of Kosciusko, Day, of St. Joseph, Ellis, English, Garver, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Houghton, Huffstetter, Marsh, McCarty, Millikin, Milligan, Miller, Montgomery, Morrison, Orth, Porter, Randall, Rousseau, Simpson, Stewart, and Taber—32.

Those who voted in the negative are,

Messrs. Adams, Buckles, Conduit, Dole, Holloway, Hubbard, Malott, Read, Robinson, Sleeth, Walpole, and Waters—12.

So the vote was reconsidered.

The question being upon the adoption of the amendment to the amendment,

When, by the unanimous consent of the Senate,

Mr. Beard withdrew the same, when,

Mr. Stewart moved the following amendment to the amendment :

Strike out the amendment from the word "provided," and insert the following in lieu thereof:

SEC. — That the voters of the State shall at the annual election, on the first Monday of August, 1849, give their votes for or against this law. The Inspector of elections at the several places of voting, shall propose to the voter presenting a ballot, the question, "Are you in favor of the bill passed at the last session of the Legislature to increase and extend the benefits of Common Schools?" and those who are in favor of the law shall answer in the affirmative, and those who are against the bill shall answer in the negative; which answers shall be duly recorded by the Clerk of such election, and the result of such voting shall be certified and returned, as provided in other cases of voting at general elections, to the Secretary of State, and by him be certified to the Governor. And if a majority of those voting as aforesaid shall be in favor of the law, the Governor shall issue his proclamation declaring the law to be in

force, and it shall be the duty of the several persons performing the duties of County Auditor to add to the poll books, furnished to the proper Inspectors, suitable columns for taking the vote aforesaid;

And the question being upon the adoption of the amendment to the amendment, when,

Mr. Henry moved to lay the amendment to the amendment upon the table;

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Coates, Conduit, Dole, Ellis, English, Garver, Green, Hamrick, Hardin, Harvey, Hendricks, Herod, Holloway, Huffstetter, Malott, Milligan, Miller, Morrison, Orth, Porter, Robinson, Rousseau, and Sleeth—26.

Those who voted in the negative are

Messrs. Beard, Cassatt, Davis, Day, of Kosciusko, Day, of St. Joseph, Hubbard, Marsh, Millikin, Montgomery, Randall, Read, Simpson, Stewart, Taber, Walpole, and Waters—16.

So the amendment to the amendment was laid upon the table.

When Mr. Green moved so to amend the amendment, so as to make its provisions applicable to all the counties of this State ;

Which was adopted.

Whereupon the amendment as amended was adopted.

When Mr. Morrison offered the following amendment to the bill :
Add the following section ;

SEC — Wherever school houses, have been erected by private liberality, and schools established therein, it shall and may be lawful for the trustees of the township in which the same may be situated, to recognise the same as a public school, and to make such allowance thereto, as may in their judgment be just and equitable ;

Which amendment was adopted.

The question being, shall the amendments be engrossed ?

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Cassatt, Coates, Day, of St. Joseph, Dole, Ellis, English, Green, Hendricks, Herod, Holloway, Marsh, Malott, McCarty, Milligan, Millikin, Miller, Montgomery, Morrison, Randall, Read, Robinson, Rousseau, Simpson, Sleeth, Stewart, Taber, and Waters—30.

Those who voted in the negative are,

Messrs. Beard, Conduit, Garver, Hamrick, Hardin, Harvey, Henry, Houghton, Hubbard, Huffstetter, Orth, and Porter—12.

So the amendments were ordered to be engrossed.

When Mr. Orth moved to suspend the rules, consider the amendment as engrossed, and,

Read the bill a third time now.

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Davis, Day, of St. Joseph, Dole, Ellis, English, Green, Hendricks, Herod, Holloway, Houghton, Hubbard, James, Malott, McCarty, Millikin, Milligan, Miller, Montgomery, Morrison, Orth, Porter, Read, Robinson, Rousseau, Simpson, Sleeth, Stewart, and Taber—31.

Those who voted in the negative are,

Messrs. Adams, Buckles, Conduit, Day, of Kosciusko, Garver, Hamrick, Hardin, Harvey, Huffstetter, Marsh, Randall, Walpole, and Waters—14.

So the rules were suspended, the amendments considered as engrossed, and the bill read a third time ;

And upon the passage of the bill the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Buckles, Cassatt, Coates, Davis, Day of St. Joseph, Dole, Ellis, English, Garver, Green, Hendricks, Herod, Holloway, Houghton, James, Marsh, Malott, McCarty, Millikin, Milligan, Miller, Montgomery, Randall, Read, Robinson, Rousseau, Simpson, Sleeth, Stewart, Taber, and Waters—31.

Those who voted in the negative are,

Messrs. Adams, Beard, Conduit, Day of Kosciusko, Hamrick, Hardin, Harvey, Henry, Hubbard, Huffstetter, Morrison, Orth, Porter, and Walpole—14.

So the bill passed.

Mr. Robinson moved to suspend the previous order of business to introduce a resolution and,

The ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Beard, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, Green, Hamrick, Hardin, Herod, Holloway, Houghton, Hubbard, James, Millikin, Miller, Orth, Read, Robinson, Rousseau, Simpson, and Taber—22.

Those who voted in the negative are :

Messrs. Adams, Buckles, Cassatt, Coates, Conduit, English, Garver, Harvey, Hendricks, Henry, Marsh, Malott, McCarty, Milligan, Montgomery, Morrison, Porter, Sleeth, Stewart, and Waters—20.

So the previous order of business was suspended, and leave was granted to Mr. Robinson to introduce the following resolution :

Resolved, That when the Senate adjourns, it will adjourn to meet at half-past six o'clock, P. M.

And upon the adoption of the resolution, the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Conduit, Davis, Day, of Kosciusko, Day, of St. Joseph, Dole, Ellis, English, Garver, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, James, Marsh, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Orth, Randall, Read, Robinson, Simpson, Sleeth, Taber and Waters—36.

Those who voted in the negative, are

Messrs. Cassatt, Montgomery, Porter, Rousseau, Stewart and Walpole—6.

So the resolution was adopted.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have adopted the following resolution :

Resolved, That this House will, the Senate concurring, suspend the operations of a resolution of both branches of this General Assembly heretofore passed, fixing the 16th of January, 1849, as the day of adjournment, and that the present session of this General

Assembly, shall continue until Monday, the 22d day of January, 1849, and no longer, and that the said resolution, the operations whereof are hereby suspended, shall be in full force and effect on the said 22d day of January, 1849.

In which the concurrence of the Senate is respectfully requested.

And,

Upon concurring, the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative, are

Messrs. Cassatt, Green, Marsh, Montgomery, Orth, Robinson and Stewart—7.

Those who voted in the negative, are

Messrs. Adams, Beard, Buckles, Coates, Conduit, Davis, Day of Kosciusko, Day of St. Joseph, Dole, Ellis, Garver, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Hubbard, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Porter, Randall, Read, Rousseau, Simpson, Sleeth, Taber, Walpole, and Waters—38.

So the Senate refused to concur in said resolution.

Mr. Hamrick from the committee on enrolled bills, made the following report :

MR. PRESIDENT :

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bill of the Senate No. 208.

On motion by Mr. Miller,

Leave of absence was granted to Mr. Rousseau, for the remainder of the session.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following engrossed acts of the Senate :

Nos. 16, 200, 205, 190, 155, 142, 116, 150, 170, 196, 129, 207, 30, 199, 186, 193, 183, 62, 188, 151, 55, 64 and 146 ;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

I am directed by the House of Representatives to inform the Senate that the Speaker has signed the following enrolled act of the Senate :

No. 198. An act declaring certain laws relative to roads and highways to be in force in the county of Lawrence ;

Which I am directed to bring to the Senate for the signature of the President thereof :

Mr. Hamrick made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the Senate Nos. 184, 185, 147, 129, 196, 170, 150, 116, 142, 155, 190, 200, 16, 250, 207, 30, 199, 186, 193, 183, 62, 188, 151, 55, 64, 146, also bills of the House Nos. 173, 202, 29, 204, 200, 176, 193, 190, 127, 208, 244, 323, 139, 205.

Mr. Marsh asked and obtained leave to introduce the following joint resolution :

No. 289. A joint resolution authorizing the Governor or Agent of State to make sale of all or any real estate owned by the State of Indiana in the State of Georgia ;

Which was read a first time, and passed to a second reading.

On motion by Mr. McCarty,

The previous order of business was suspended, and leave granted to make reports from standing and select committees, and introduce bills.

REPORTS FROM STANDING COMMITTEES.

By Mr. McCarty, from the committee on federal relations.

MR. PRESIDENT :

The committee on federal relations to whom was referred joint resolution of the House No. 176, on the subject of the three per cent. fund, have had the same under consideration, and a majority of the committee have directed me to report the same back, and recommend its passage, and,

The joint resolution read third time and passed.

By Mr. McCarty, from the committee on federal relations :

MR. PRESIDENT :

The committee on federal relations to whom was referred joint resolution No. 9 of the Senate, in relation to the further extension of slavery, have had the same under consideration, and directed me to report the same back for the action of the Senate, without recommendation :

And the joint resolution was laid upon the table.

By Mr. McCarty, from the committee on federal relations :

MR. PRESIDENT :

The committee on federal relations to whom was referred joint resolution of the House No. 57, in relation to the seat of Government of the United States, have had the same under consideration, and a majority of the same have directed me to report the same back without amendment, and recommend its passage ;

And the joint resolution was read a third time and passed.

By Mr. Orth, from the committee on federal relations :

MR. PRESIDENT :

The committee on federal relations to which was referred joint resolution of the Senate No. 2, entitled " A joint resolution relative to the further extension of slavery," have had the same under consideration, and instructed me to report the same to the Senate for its action, without any recommendation ;

And the bill was ordered to be engrossed for a third reading.

By Mr. Morrison, from the committee on federal relations :

MR. PRESIDENT :

The committee on federal relations to whom was referred a joint resolution of the Senate entitled, No. 93. A joint resolution relative to colonizing the free people of color in the United States, have had the subject under consideration, and have directed me to report the same back to the Senate, and that it is inexpedient to legislate on the subject ;

Which report was concurred in, and,

The joint resolution was indefinitely postponed.

By Mr. Morrison, from the committee on finance :

MR. PRESIDENT :

The committee on finance to whom was referred a resolution of the Senate requiring them to report certain matters connected with

the State's interest in the Madison and Indianapolis Railroad have had the subject under consideration, and have directed me to report that all the information which they have been able to collect is contained in a communication from Sam'l Merrill, Esq., late President of said Railroad, which is herewith transmitted for the action of the Senate, and the committee ask to be discharged from the further consideration of the same.

JOHN I. MORRISON, Esq.

Chairman of the Committee of Finance of the Senate.

SIR : I have received your interrogatories of the 11th inst., requesting information on the following points, about which you have been directed to make inquiries by resolution of the Senate : 1st. The amount expended by the State in the construction of the Madison and Indianapolis Railroad. 2nd. The amount of stock issued to the State on its investment. 3d and 4th. The stock sold by the State if any, to whom and at what price. 5th and 6th. The amount of stock in the road now owned by the State, and the dividends paid on it. 7th. The cash value of the stock at this time. 8th. What effect will the creation of additional stock by the Company, have on the interests of the State? 9th. Whether there has been any stock already created, other than by the bona fide advancement of capital? 10th. Whether there have been any matters in connection with the management of the road that may effect prejudicially the interests of the State in the same? 11th. What is the relative portion of the State's interest in the road, and how is it to be kept in repair after 1852? 12th. What will be the probable dividends to the State on its interest in the road after 1852?

As your committee expect an early reply to the foregoing, and as I have not the books of the company before me, I shall be under the necessity of answering briefly, and probably in more general terms than may be desired.

To the first and second interrogatories, I answer, that having had occasion to examine the books of the State on that subject, it appeared that the amount expended by the State on the Madison and Indianapolis Railroad, was \$1,624,291 93, of which \$1,561,798 72 was derived from the State Treasury, and \$62,493 21 from the earnings of the road. No stock was issued on this expenditure which completed the road twenty-eight miles, and paid for about one-half of the grading and bridging for twenty-eight miles more. The State was the sole owner of the road until 1842, when it yielding very little income, the company was organized under a law then passed for its completion. The next year the use of the road was granted to the company on certain conditions, which in 1845 were made more favorable, so that by paying the profits of the last year, the State held it \$1,152 04 annually and by completing the road to Edinburgh, by the 1st July, 1846, and to Indianapolis in two years

thereafter the company became entitled to the use of the road at the above rent, until the 13th January, 1853, after which the State will reserve about one-third of the whole profits, or in proportion to the length of road finished by the State and the company respectively.

To the 3d and 4th interrogatories, I answer that no stock in the company has within my knowledge, been sold by the State.

To the 5th and 6th: The stock owned by the company last spring, when I took a memorandum from the books, was 322 shares, or \$16,100, which was derived from six or seven thousand dollars of debts to the State transferred to the company, from the annual rents before mentioned, and from the dividends on the stock. The dividends for the last three years have been fourteen per cent. annually, if I mistake not, which with the rent will make the present profits of the State \$3,406 dollars a year. The last sales of stock that I know of, were at \$59 a share, or eighteen per cent. above par.

To the 8th interrogatory, as to the effect of increasing the stock, I answer, that it will probably be beneficial if the whole amount be actually advanced and prudently expended for the purpose of increasing the business of the road. As the State after January 13, 1853, is to have about one-third of the whole profits, it will not be injured in that respect by any increase of private stock. The 322 shares may become less valuable, and if the State should wish to purchase the road as it is authorized to do, in the 64th Section of the Charter, it may be seriously injured if any expenditure be reckoned as stock and to be refunded, which was not actually made for the construction of the road, and were the stock to be so increased that regular dividends could not be relied on, there would be great danger that the interests of the State would be neglected.

To the 9th interrogatory, as to the creation of stock improperly, I answer with much hesitation. The decisions of the directors have most probably been wrong occasionally, and yet little or no blame could be attached to them, and I am by no means competent to give a correct legal opinion of some of their acts. I have not the books of the company before me to go into particulars, nor can they be ascertained without a careful and laborious examination. It is my opinion however, and I give it with unaffected diffidence, that some if not all the expenses for obtaining loans, a part if not all the interest of the loans, some of the expenses for repairs, and various other items, are charged to expenditure of construction of road, when they ought not to have been. To pay the interest on loans, and also dividends of profits which the money earns, it seems to me would be to pay twice for the same thing. Amid the press of business, and from my anxious desire to complete the road, I have no doubt incurred my share of blame, which will on all proper occasions be cheerfully acknowledged.

The answer to the 10th interrogatory is contained in part, in the answers to the 8th and 9th, and need not be repeated. There was

for a part of the last year much that was exceptionable in the management of the road, but since the first of November there is every reason to believe that the President and Superintendent has done all that could be expected of him, for the good of the company and the interest of the State.

To the 11th and 12th interrogatories, as to the relative interest of the State and the Company in the road, as to keeping it in repairs after 1852, and as to the probable dividends after that time, I answer, that the State will have twenty-eight parts ought of eighty-six of the whole profits; the repairs of course being first paid before there is any dividend. The receipts from passengers and freights for each year since the company has had charge of the road, and the average distance run, are shown in the following table, the year commencing 1st February and ending 31st January.

Receipts for the year 1843,	\$22,110,	average distance run 32 miles.
Receipts for the year 1844,	39,031,	average distance run 42 miles.
Receipts for the year 1845,	60,053,	average distance run 50 miles.
Receipts for the year 1846,	83,122,	average distance run 56 miles.
Receipts for the year 1847,	158,803,	average distance run 72 miles.
Estimate for the year 1848,	230,000,	average distance run 86 miles.

The next year they will probably amount to \$280,000, and before 1853, when the Branch Roads now commenced shall be finished, the receipts will be \$400,000 a year. Between fifty and sixty per cent. of this will be required for expenses, as the plane at Madison, the rapidly decaying timber, and the porous soil of the embankments, will make this road more costly than Eastern ones to keep up; yet still the share of the State in the profits must, with proper management, be from \$50,000 to \$60,000 a year. It is not this sum alone that is important to be looked after. The business and welfare of a population of at least 200,000, who will soon live in the vicinity of this Road and its various Branches, should not be left entirely to the mercy of a few capitalists, either abroad or at home. The present Charter can be altered by a two-thirds vote of the Legislature in 1863, and in 1868 the State may buy out the stock as before stated. The right to supervise the tolls is supposed to belong to the Agents of the State. If, therefore, the State maintain its present position as to the Rail Road Company reviewing its acts occasionally, to see that they are right, it is presumed there will be no difficulty.

Yours, respectfully,

S. MERRILL.

INDIANAPOLIS, January 13, 1849.

By Mr. Hendricks from the committee on the judiciary:

MR. PRESIDENT:

The judiciary committee to which was referred bill of the Senate

No. 137, entitled "a bill more effectually to protect the property of married women," have had the same under consideration, and have directed me to report the same back for the action of the Senate;

And,

The bill was ordered to be engrossed for a third reading.

By Mr. Cassatt from a select committee :

MR. PRESIDENT :

The select committee to which was referred House bill No. 319, entitled "an act to incorporate the Peru and Rochester Turnpike Company," have had that subject under consideration, and directed me to report the same back to the Senate and recommend its passage;

And the bill was read a third time, and passed.

By Mr. Buckles from a select committee :

MR. PRESIDENT :

The select committee to whom was referred bill of the House, No. 160, "to change a part of the Indianapolis and Pendleton State Road," have had the same under consideration, and directed me to report the same back, and recommend its passage;

And the bill was read a third time, and passed.

BILLS INTRODUCED.

By Mr. Huffstetter,

No. 290. A bill to suspend the operation of an act giving the Buffalo and Mississippi Rail Road Company the right of way through Indiana, till the Legislature of Illinois shall give to the Richmond and Terre Haute, and the Ohio and Mississippi Rail Road Company the right of way through the State of Illinois, to Illinois-town, opposite St. Louis;

Which was read a first time, and passed to a second reading.

By Mr. Taber,

No. 291. A bill confirming the location of a State road leading from Logansport, in Cass county, to Kokomo, in Howard county;

Was read a first time, and,

On motion by Mr. Taber,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Taber,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

On motion by Mr. Davis,

The Senate took from the files bill of the House entitled, No. 150. A bill to amend an act entitled an act to lease the Indiana State Prison, and for other purposes, approved January 16, 1846;

Which was read a third time, when,

Mr. Read moved to recommit the bill and amendment to a select committee with instructions to so amend the bill as to provide a penalty for the violation of the same;

Which motion was decided in the negative.

And,

On motion,

The Senate adjourned until 6½ o'clock this evening.

6½ o'clock, P. M.

The Senate met pursuant to adjournment.

On motion by Mr. Hardin,

The Senate took from the table engrossed bill of the House entitled,

No. 29. A bill to extend the duties of County Surveyors;

When Mr. Hardin moved the following amendment to the bill:

Amend the bill by striking out from the enacting clause, and insert the following:

Section 1. That from and after the taking effect of this act, the several County Surveyors of this State, in their respective counties, shall and may take and certify under their hands and seals, the acknowledgements of powers of attorney, mortgages, deeds, and other instruments of writing, with or without the release of dower, as fully in every respect as any Justice may or can do, and such acknowledgements shall have the same effect.

Sec. 2. And the several County Surveyors aforesaid, shall have full power and authority to administer and certify any oath required to be taken by any commissioner for the assignment of dower, or the partition of real estate, or any commissioners or viewers to view, mark, locate or re-locate any public highway, and whenever any County Surveyor shall be appointed any such commissioner or viewers, for the purposes aforesaid, he shall not be required to take an additional oath, but the duties required of such commissioner or viewer, shall be taken and construed to be a part of his official duties, and the official signature of such Surveyor, to any report or proceeding required of such commissioner or viewer, shall be sufficient on his part.

Sec. 3. Any person may at his or expense cause any original corner of any section in which he may have lands situate, to be located or perpetuated, although such lands may not adjoin such corner.

Sec. 4. Whenever it shall so happen that all the proprietors of lands adjoining any corner which any county surveyor may be required to establish or perpetuate, or any line which he may be required to run and establish are present, and thereunto consenting, or under their hands in writing, shall so consent, the notice required in the 16th section of said act shall not be necessary.

Sec. 5. The several county surveyors, and their deputies, shall have the power to administer an oath in proof of the notice required by the 16th section of the act to which this is an amendment.

Sec. 6. Whenever any county surveyor shall appoint any deputy, he shall enter on his records such appointment with the date thereof. And before such deputy shall be entitled to exercise any of the duties of county surveyor, he shall cause to be filed with the principal surveyor the oath required of such surveyor, which such principal surveyor shall enter upon his records.

Sec. 7. It shall hereafter be the duty of the several deputy surveyors to return to the principal surveyor any and all field notes, of any and all corners and lines by them established and perpetuated, within sixty days after the same are made.

Sec. 8. In order to enable surveyors to comply with a clause of the 23d section of the act to which this is an amendment, the Secretary of State shall cause the sixty-eighth chapter of the General Laws of the Twenty-Fourth Session of the General Assembly of this State, being a portion of Gordon's Digest of the Laws of the United States in relation to the mode of surveying the public lands to be incorporated and published with the General Laws of the present session.

Sec. 9. All flag-bearers and markers of any line or lines, who may be employed by the county surveyors or their deputies in the performance of any official duty, shall take an oath for the faithful discharge of their duties, and such surveyors and their deputies shall administer such oath.

Sec. 10. The same fees shall be allowed county surveyors for administering any oath, as are allowed to justices of the peace for similar services.

Sec. 11. This act shall be in force from and after its passage.

The question being upon the adoption of the amendment,

When Mr. Henry moved the following amendment to the amendment:

"Strike out so much as authorizes county surveyors to take the acknowledgment of deeds—and also so much as relates to the fees for taking acknowledgment of deeds and other instruments of writing;"

Which amendment to the amendment was adopted.
And the amendment as amended was adopted; and,

On motion by Mr. Hardin,

The amendments were considered as engrossed, the bill read a third time, and passed.

When Mr. Hardin moved to amend the title by striking it out and inserting the following:

"An act to amend the 10th chapter of the Revised Statutes of 1843 in relation to the duties of county surveyors;"

Which amendment was adopted.

On motion by Mr. Hardin,

Leave of absence was granted to Mr. Buckles during the remainder of the session.

On motion by Mr. Montgomery,

The following report of the Trustee of the Wabash and Erie Canal on the part of the State,

Was taken from the table.

PALMER HOUSE, INDIANAPOLIS, }
December 26, 1848. }

HON. PARIS C. DUNNING,

President of the Senate:

SIR:—In reply to a resolution of the Senate, adopted and communicated to me on the 21st inst., inquiring of the State Trustee of the Wabash and Erie Canal—

1st. What steps have been taken in regard to the contemplated side cut on sections 136 or 137 opposite the town of Clinton, in Vermillion county?

2d. If no action has been had to comply with that portion of the acts relating to the said side cut; the reasons which have induced the delay?

3d. Does the reported scarcity of water in the main line of canal, on the division above Coal creek, apply to that portion of the canal between Coal creek and Terre Haute?

4th. If there should be a scarcity of water, in dry seasons, on that portion of the canal between Coal creek and Terre Haute, whether there are not water courses, not proposed to be made feeders, under the present arrangement of the work, which can be made to supply any deficiency that may occur on the portion of canal referred to?

I will reply to the questions in their order, and briefly:

1st. There have been no steps taken to construct the side cut on sections 136 or 137.

2d. I cannot state the reasons why the Board have not acted upon that subject, for the question has not been presented in such a shape as to require *immediate* action. The time when the law

requires its consideration has not arrived, the main line of the canal on the division referred to not being in such a state of forwardness as to force the question of sufficiency or insufficiency of water. As the time approaches, the Board will doubtless consider the subject in all its bearings.

3d. The scarcity of water on the division of the canal above Coal creek has no application, so far as I am informed, to the division below. For more particular information on this head, I would respectfully refer the Senate to the report of the Chief Engineer.

4th. In reply to the fourth interrogatory, I am unable to give the Senate any information not within the reach of every citizen acquainted with the country adjacent to the Canal. There are two water courses, the Wabash river and the Big Raccoon (one running parallel with, and the other crosswise) near the Canal, but whether they could be made auxiliary as feeders, it is not in my power to say. Any opinion of mine, without proper data to base it upon, would be out of place, and entitled to no particular consideration.

All of which is respectfully submitted.

A. M. PUETT.

Ordered, That the foregoing communication be spread upon the journal.

On motion by Mr. Robinson,

The Senate resumed the consideration of bill of the House, No. 159, and the pending amendments thereto.

The question being upon the adoption of the amendment to the amendment,

When Mr. Herod withdrew the same; and

Mr. Robinson offered the following amendment to the amendment:

"Provided however, That said road shall not be located parallel with the Milford and Columbus Railroad within less than ten miles of the same, unless a majority of the stockholders of said Milford and Columbus Railroad Company consent to the same."

Which amendment to the amendment was adopted; when,

Mr. Hendricks offered the following amendment to the amendment:

"And provided further, That none of the stock now subscribed by the Rushville and Lawrenceburgh Railroad shall ever be used for the construction of said arm or branch of said Road, without the consent of a majority of the stockholders of said Company;"

Which amendment,

On motion by Mr. Robinson,

Was laid upon the table.

And the amendment as amended was adopted.

And,

On motion by Mr. Robinson,

The amendments were considered as engrossed,
The bill read a third time, and passed.

On motion by Mr. Davis,

The Senate resumed the consideration of engrossed bill of the House, entitled

No. 150. A bill to amend an act entitled an act to lease the Indiana State prison and for other purposes; approved January 16, 1846.

The question being, shall the bill pass?

The ayes and noes being demanded by two Senators, they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Coates, Conduit, Davis, Dole, Ellis, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Milligan, Montgomery, Orth, Porter, Robinson, Simpson, and Taber—20.

Those who voted in the negative are,

Messrs. Adams, Buckles, Day, of Kosciusko, Day, of St. Joseph, English, Garver, Green, Hardin, Henry, Huffstetter, Malott, McCarty, Millikin, Miller, Morrison, Randall, Read, Sleeth, and Walpole—19.

So the bill passed.

The following message was received from the House of Representatives by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 168. An act for the relief of John T. Custer;

No. 230. An act to amend an act entitled "An act appointing a board of superintendents to superintend the changing of the channel and leveling the banks of Jordan creek, in Vigo county, and for other purposes;" approved January 15, 1846;

No. 395. An act in relation to a State road;

No. 308. An act for the better security of the surplus revenue fund in Boone county;

No. 324. An act to establish a State road in the counties of Rush and Henry;

No. 326. An act for the relief of Christian Church, at Stilesville, Hendricks county, Indiana;

No. 327. An act in relation to paupers in the county of Dearborn;

No. 328. An act to establish a State road from Bloomington to Point Commerce;

No. 329. An act to improve a certain road in DeKalb county;

No. 330. An act for the relief of Dempsey Linton, of Randolph county;

No. 334. An act to authorize the Shelbyville Lateral Branch railroad company to dispose of their real estate;

No. 335. An act declaring the width of a certain street in the town of Bloomington;

No. 336. An act to amend the act entitled "An act to incorporate the Madison and Brownstown turnpike company;"

No. 337. An act to authorize the location of a State road from the Michigan road, near Carroll post office, in Carroll county, to Jonesborough, in Grant county;

In which the concurrence of the Senate is respectfully requested.

And bill contained in said message, entitled,

No. 168. A bill for the relief of John Custer,

Which was read a first time, and,

On motion by Mr. Simpson,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Simpson,

The rules were further suspended, the bill read a third time, and passed.

Mr. Coates moved a reconsideration of the vote on the passage of engrssed bill of the House No. 150,

When Mr. Davis moved a call of the Senate,

Which was ordered.

And the Secretary having proceeded with the call,

And the Senate having refused to send for the absentees,

On motion,

The further call was suspended,

And the vote on the passage of said bill was reconsidered; and,

On motion by Mr. Walpole,

The vote on ordering the bill to a third reading, was reconsidered.

The question then being,

Shall the bill be read a third time? when

Wr. Walpole proposed the following amendment to the bill:

Amend by adding the following section:

And be it further enacted, That if said lessee, or any other person with his consent, or in his employ, suffer or permit any convict or convicts, to work at any other thing, or at any other place than in this act provided, or the products of their labor be appropriated to any other purpose or use than in this act provided, shall forfeit all the right in this act conferred, and be subject to indictment in the proper circuit court for the violation of this act, and shall be subject to be fined in any sum not less than ten, nor more than fifty dollars for each offence; by the court or jury trying the same.

When Mr. Davis moved the following amendment to the amendment:

Strike out the amendment, and insert the following in lieu thereof:

Sec. —. That in case said lessee of the State Prison shall violate the provisions of this act, he shall be liable to pay the sum of ten dollars for each such violation, to be recovered in an action of debt in the name of the State of Indiana, before any Justice of the Peace in the city of Jeffersonville: *Provided, however*, That no such suit shall be instituted until ordered by the Mayor or Council of the city of Jeffersonville, which suit may be instituted by any party who may be interested under the restrictions aforesaid, who may feel himself aggrieved.

The question being upon the adoption of the amendment to the amendment; and,

The ayes and noes being demanded by two Senators they were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Davis, Dole, Ellis, Garver, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Orth, Porter, Robinson, Rousseau, Simpson and Taber—19.

Those who voted in the negative are,

Messrs. Buckles, Coates, Day of Kosciusko, Day of St. Joseph, English, Green, Hardin, Henry, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Morrison, Randall, Read, Sleeth, Stewart and Walpole—21.

So the amendment to the amendment was not adopted, when,

On motion by Mr. Davis,

The bill and pending amendments were laid upon the table.

The Senate then resumed the consideration of the bills contained in the message heretofore taken up.

No. 230. A bill to amend an act entitled an act appointing a board of superintendents to superintend the changing of the channel and leveeing the banks of Jourdan creek in Vigo county, and for other purposes, approved January 15, 1846;

Was read a first time, when,

Mr. Henry moved to suspend the rules and read the bill a second time,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Cassatt, Coates, Conduit, Day of Kosciusko, Day of St. Joseph, Dole, English, Garver, Green, Hamrick, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Huffstetter, James, Malott, McCarty, Millikin, Milligan, Miller, Montgomery, Morrison, Orth, Bandall, Read, Robinson, Simpson, Sleeth, Stewart, Taber and Walpole—37.

Those who voted in the negative are,

Messrs. Davis, Porter and Rousseau—3.

So the rules were suspended, and,

On motion by Mr. Cassatt,

The Senate adjourned until Monday morning next at 9 o'clock.

MONDAY MORNING, JAN. 15, 1849.

The Senate met pursuant to adjournment.

On motion,

The Senate dispensed with the reading of the journal of Saturday.

Mr. Hendricks asked and obtained leave to make the following report from the committee on finance.

MR. PRESIDENT:

The committee on finance to whom was referred bill of the Senate No. 61, have had the same under consideration and have directed me to report the same back for the action of the Senate.

Mr. James asked and obtained leave to make the following report from the committee on finance:

MR. PRESIDENT:

The committee on finance to whom was referred bill of the House No. 229, entitled "An act to equally distribute the local and general laws of the State of Indiana," have had the same under

consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage;

And the bill was read a third time and passed.

Mr. Simpson asked and obtained leave to present the petition of the citizens of Union county, relative to the sale of spirituous liquors in Union county, which,

On motion by Mr. Simpson,

Was laid on the table.

Mr. Henry asked and obtained leave to make the following report from the committee on the judiciary:

MR. PRESIDENT:

The committee on the judiciary to whom was referred bill of the Senate No. 260, entitled "An act relative to the issuing and returning of executions," have had the same under consideration, and directed me to report the same back with one amendment, and upon the adoption of which recommend its passage:

Insert after the word "execution" where it first occurs in section first, the following, to-wit:

"And no more property can be found whereon to levy;"

Which amendments were adopted; and,

On motion by Mr. Henry,

The rules were suspended, the amendments considered as engrossed,

And the question being,

Shall the bill pass?

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Conduit, Davis, Hamrick, Harvey, Hendricks, Henry, Herod, James, Marsh, Malott, McCarty, Orth, Porter, Read, Rousseau, and Taber—17.

Those who voted in the negative are,

Messrs. Day of Kosciusko, Day of St. Joseph, Dole, Ellis, English, Garver, Graham, Green, Hardin, Houghton, Huffstetter, Martin, Miller, Montgomery, Robinson, Simpson, Sleeth, Walpole, and Waters—19.

So the bill did not pass.

Mr. Robinson asked and obtained leave to make the following report from a select committee;

MR. PRESIDENT:

The select committee to whom was referred bill of the Senate No. 130, have directed me to report said bill back to the Senate, and respectfully recommend that it be laid on the table, as a bill has already passed the Senate on the same subject.

And the bill was laid upon the table.

Mr. Malott, from the committee on finance, asked and obtained leave to make the following report:

MR. PRESIDENT:

The committee on finance, to whom was referred bill of the House No. 298, entitled "an act for the more effectual, just, and equal assessment of personal property, moneys, credits and capital stock, of moneyed and stock corporations," have had that subject under consideration, and have directed me to report the same back to the Senate, with sundry amendments, upon the adoption of which they recommend its passage.

Amendments referred to in the above report:

1st. amendment:—

Strike out the word "after" in the first line of the 7th section, and insert the word "between" in lieu thereof.

2d amendment:—

Insert after the word "interest" in the fifteenth line of the 8th section the words "over and above the amount upon which he is paying interest;" also, in same line, strike out the words "or elsewhere" after the word "State."

3d amendment:—

Insert the word "aggregate" before the word "value" in the 18th line of section eight.

4th amendment:—

Insert after the word "corporation" the words "other than bank stock," in the 22d line of the 8th section.

5th amendment:—

Strike from the last clause of the 8th section the words "the age of the persons."

6th amendment:—

Strike out the 13th section, and insert the following:
Section 13: Each township assessor shall, on or before the first Monday in June annually, make out and deliver to the auditor of his county, in tabular form and alphabetical order, the names of the several persons and companies in whose names any personal property, monies, or credits, shall have been listed in his township, and in one column opposite each name, the aggregate value of all articles of personal property, of whatever kind enumerated in the

eighth section, other than corporation stock, as well as the value of all non-enumerated articles of personal property, and in another column the value of corporation stock.

7th amendment:—

Add, after the word "same" at the end of the 15th section, the words "in packages by townships."

8th amendment:—

Strike out section 16.

9th amendment:—

Add at the end of section 18 as follows: "and the several county auditors shall procure the necessary blank lists to be printed and paid for as other county expenses.

Which amendments were adopted,

The report concurred in, and the committee discharged.

The bill still being open to amendment,

Mr. Orth moved the following amendment to the said bill:

Amend the first section by striking out the word "township" in the 4th line, and inserting the word "county." Also

Add the following proviso:

"Provided, That nothing herein contained shall change the law in those counties in which, by law, assessors are elected in each township."

Which amendment was not adopted.

On motion,

The following proviso to the first section of the bill was adopted:

Provided, That the counties of Cass, Tippecanoe, Carroll, Clinton, Shelby, Lagrange, Posey, Warrick, Delaware, Pike, and Jefferson, shall have the privilege of electing their county assessors as heretofore provided by law."

Mr. Orth moved the following amendment to the second section of the bill:

After the word "counties," insert the words "except the counties above specified;" also, after the word "written," insert the words "or printed."

Which amendment was adopted.

Mr. Orth moved the following amendment to the bill:

Strike out the word "township" in the 1st line of the 7th section; also, strike out in the same section the words "next succeeding their election."

Which amendment was adopted; when

Mr. Miller moved the following amendment to the bill:

Strike out the 8th section.

Which amendment was,

opinion of the committee, their importance seemed to demand. Your committee, in view of the charges contained in the petitions of the gravest character, against those who had hitherto deservedly stood high in public estimation and favor, and asking for the removal of one of the most valued and efficient of the Board of Trustees of the Asylum, for the education of the Deaf Mutes of the State. And coming too, as they did, from a class of our fellow citizens entitled to the highest consideration, deem it but an act of justice to all concerned, that the whole subject should be fully investigated. Your committee, therefore, proceeded to examine the parties, with such other witnesses as were desired by them, under oath touching the charges alledged in the petition, against said Board of Trustees and their building committee.

Your committee deem it proper to state, that from the facts elicited, some of your petitioners did not fully comprehend the extent of the charges in the petitions against the Board of Trustees or their agents, the force of the language used, or the graveness of the charges preferred.

Your committee, however, after a very full investigation of the whole subject, are unanimous in the opinion that the charges of your petitioners against said Board of Trustees, or any number thereof, or against their building committee, (for whose acts, your committee hold that the Board of Trustees are responsible,) except as hereafter explained, *have not been sustained*. But on the contrary, your committee are fully persuaded that the Board of Trustees and their building committee have, in reference to the subjects complained of by your petitioners, been actuated by the purest and most patriotic motives. But while your committee thus, in justice, bear testimony to this, they are not entirely satisfied from the testimony adduced. But that some portions of the work heretofore let, could not have been let to responsible persons, at prices somewhat below those for which the work was let, without the interests of the State having been seriously compromised. Your committee, however, are fully persuaded that in the whole transaction, the Board of Trustees, their building committee, and Mr. Alfred Harrison, against whom the charges in the petitions are more particularly made, have been, in the absence of Legislation, on this subject, by which to be governed, influenced by but one desire—to subserve the true interests of the State. And to avoid alike difficulties, and to remove the embarrassments under which the Board of Trustees and their agents have been laboring, in consequence of the Legislature, having heretofore, neglected to prescribe the mode in which these lettings shall be made. Your committee have directed me to recommend the passage of the accompanying bill.

The testimony is herewith submitted.

TESTIMONY REFERRED TO.

SENATE CHAMBER, *January 10th, 1849.*

At a meeting of the joint committees on Benevolent Institutions of the State, Mr. Bradley was sworn and stated, that he was an undertaker, and was desirous of doing carpenter work for this building, requested the architect by the request to see the specifications before the board. Saw Willis (the architect) and he said had mentioned the matter to Harrison, and H. replied I could not get a sight at the work or specifications. Had no conversation with Harrison myself. Custom generally in public works to give notice for receiving proposals. No proposals published. The work has not been let. He knows nothing of the letting except as appears in the report of the building committee. Never spoke to any of the Trustees on this subject.

Willis and I had considerable conversation about both asylums, (Lunatic and Deaf and Dumb). I asked him whether the Trustees had let the work. Don't know that this work has been let, of my own knowledge.

Don't know of any arrangement with Harrison to pay the hands off in goods.

Don't know that H. will be benefitted by the sale of goods.

William H. Karns.—Bradley and I are partners. Stated no more than Bradley did. Heard Willis state he was appointed architect. Dr. Dunlap was favorable to letting the work. Customary to give notice for receiving proposals to do work. Never enquired for the specifications.

Charles Secrest.—In the month of June I was engaged in the Insane Asylum. Willis was drawing the plan of this Asylum. I applied to Harrison, he said that he expected to let the cellar this season and the building the next season, but had come to no decision. His plan was to select a good mason and carpenter, or good workmen, and give them the job at a fair price, and receive no proposals. This spring I was informed the Trustees were to let the building. Went to Harrison, and he said they were going to let the building this winter. The terms were, they were going to select a good mason and carpenter—we want men that are responsible—not that make themselves responsible—we want no difficulty with them—and to pay them a fair price. That the State did not want to find men, but to pay a fair price and have good work done. The mere idea of giving security would not suit, unless they were men who would perform their work promptly.

Dunlap said they were going to let the building, call on Harrison. I said I could get no satisfaction from him, Harrison says he expects to select his carpenter and mason, and Dunlap said he would see about it.

Met Brown and approached him the same way, he favors the idea of receiving proposals, and think he referred me to Harrison—

told him I could get no satisfaction from Harrison. Brown gave no definite answer as to whether I could get a bid or not, and we parted.

Harrison told me he expected to get the brick of Mr. Greer, and Greer has since told me he was to get \$4 50 per 1000—usual price for good brick is \$4 50, though Turner had sold them for \$4 00 per m. The letting of the grading was at public bid as also the foundation.

Dont know that Harrison is to be benefitted by these lettings. Harrison said they were to be good hard brick, and so did Greer. Harrison said he would not let a bat be worked in the building, except where a full brick could not be used. No difference between counting brick in kiln and wall, or very trifling, in using 100,000 there will not be a difference of 1000.

Saw the specification and I felt perfectly willing to put up the building at \$3 37 per m, and count the brick in the wall, and get a reasonable price for the stone, or lump the whole at \$3 50 per m, including the stone. Some notices put up in the street for grubbing and excavating the ground, that is my impression. Brown told me they did not consider it for the interest of the State to take the lowest bidder.

Edwin May.—Knows nothing except from hearsay — Axtell, Flack, Turner, Bradley and Karns. Never offered my bid to the Trustees. The petition was read hastily, and if read the second time I should not have signed it.

A. A. Loudon.—Last Saturday I called on Gurley, and he said I should call on Harrison. Did so, and asked him the same question. He expected to make an individual contract for the work. Did not say I could not hand in a bid. Conversed with Bradley and Parker.

Burket.—The only object I had in the signing the petition, the habit was to have a public letting. I thought it was treating us unfair. That Flack is a good man and will do the work well. Know nothing personally.

Jacob Turner.—Saw Harrison, he took me up to his counting room and wrote a blank proposition for 1,200,000 common brick, and pressed brick for front. Went down to see Norris's brick, and he said they were the kind of brick they wanted. I handed in my proposition, left no note at promise. I went to see him, and he said the committee had doubts whether you would comply with the contract. I referred him to a great many men for whom I had made brick. He said they would have no bearing in his mind whatever. I handed him this proposition. Handed another proposition to Gurley and Jamison, \$4 per m. This was before the contract with Greer. Dunlap said Harrison was to make this contract. Harrison said the brick in the Lunatic Asylum were poor brick, 1st, men who made the contract knew not what they were doing, and brick not sufficiently burned. I never said I would make it to Harrison's interest to give me the contract. Clay which I intended to use

was good clay. Put in a bid for the Blind Asylum at \$5. Greer furnish them brick at \$4 50. Our yards are about the same distance. I will furnish the brick now at \$4. The things stated in the petition about Greer's indebtedness, and the mode of payment, are based merely upon rumor.

Mr. Willis being sworn said—Mr. Bradley met him in the street and stated that he had a desire to bid for the work to be done on the Deaf and Dumb Asylum, and requested him to communicate the fact to the Board. Saw Mr. Harrison, and told him what Mr. Bradley's request was; told him that Bradley desired to bid on the work. Mr. Harrison remarked that they had selected a man, in whom they had confidence, to do the work. Mr. Harrison said he did not wish Mr. Bradley to bid on the work. Harrison showed him a paper from Mr. Flack making a proposition to do the work, and desired him to examine and compare it with my estimates of the work, to see whether it was at reasonable prices. The work for the Insane Hospital was let at prices below my estimate. Harrison told him they expected to get Mr. Flack to do the work, provided he would do it reasonable. Harrison did not wish to receive a bid from Bradley. A person could not make a bid with any certainty, without seeing the specification and plan.

Does not know that the specifications were ever withheld from any person. Examined and compared the bid of Mr. Flack with my estimates of the cost of doing the work. The difference between them would not have been over \$250 on the work; my estimate was that much lower than Flack's proposition.

The impression I had, was that the building committee desired to let the work to good men, with whom they would have no difficulty, and not at a public letting. The work could not be done for much less than my estimates, and the person make much on it.

There are several carpenters in town who could do the work in a workmanlike manner. It is usual to let public buildings of this kind at public lettings, and invite competition. There are advantages and disadvantages attending public lettings. Harrison would not be willing, as far as he was concerned, to let Flack have the work unless he would do it as low as the estimates made by myself. Consider the firm of Bradley & Karns entirely competent to do the work.

Moses Flack says—Does not know of the building committee letting the work, or promising it. Mr. Harrison said to him to make out his bill, and if they were satisfied that it was reasonable, he would likely get it. Knows of no one desiring to bid for the work. Mr. Brown said to him if the bill were reasonable he would likely get it. Mr. Harrison frequently, in conversing about the job, said it was a large job, and cash job, and he ought to make a low bid on that account. No proposition was made either by myself or Mr. Harrison that the work, or any part, should be paid in goods, directly or indirectly. Mr. H. said if the witness would do the work low enough, he had confidence the work would be well done. The

committee is now entirely free to let the work to any one other than the witness.

Mr. James Turner—I spoke to Mr. Harrison, Brown, and Mr. Dunlap about the brick work. This winter Mr. Harrison said specifications would soon be out; and shortly after Mr. Harrison said Taylor had made out a bid. I made out a bid and got the job. I do not know other bidders. Mr. Parker in the fall said he would like the job. I got the job at \$3 85. This was built on stone, and the price must on that account be higher. The prices I get are low. I am to get cash, no part in goods, no such arrangement. Spaces in the wall are not counted. I find all but the brick. I owe Mr. Harrison about 11 cents. Several times Mr. Harrison said to me, this is a cash job and a large one, and I must be lower on that account. Mr. Brown said to me he would like to have several bidders. I told this to Mr. H., and said I would not bid if this were the way.

Mr. Axtel—I know nothing about the letting, except from hearsay. I had a conversation with Mr. May in the spring or summer, but cannot recollect the conversation.

Mr. Gurley—Before Mr. Harrison became a member of the Board it was consented to by the Board that it would be better to let the work at private contracts, if it could be done on reasonable terms. I had some doubt as to the brick contract, but am now satisfied that is a very advantageous one for the State.

Mr. Parker—I know nothing about the carpenter work, or any promises of it, except from hearsay. I know of several responsible carpenters who were anxious to get the work. Some said they would not bid, as they understood Mr. H. would give the work to Mr. Flack. I do not know of any bids being made. I was anxious to bid for the brick work, but I understood the specifications were given to Mr. Taylor, and that Mr. Taylor would get the job. I had no correspondence with Mr. Harrison or the building committee, except Dr. Dunlap told me Mr. Harrison had the specifications. I never asked Mr. Harrison for the specifications, or made any offer to bid. I have not known any work being let out so high as this was to Mr. Turner. \$2 50 has been the usual price measured in the wall, and \$3 counted in the kiln. This job I would now take at \$3 37 per thousand, lay the water tables, and set all the stone work. The Masonic Hall I do at \$3 40, kiln count, and take \$1,000 in stock. I do not know how this work in the Asylum is to be done only as Mr. Willis explained it to me. I never saw the specifications. Mr. Secrest and I were willing to take the work in partnership.

Mr. Greer—I furnished the brick under a contract at \$4 50, to be counted in the wall, good hard brick. I have not sold brick for less for 2 years. At a public letting for the Lunatic Asylum I sold at \$4 50, kiln count. In this contract I am to get cash. 500,000 were to be delivered by the 1st of January, when I am to get my pay for them, except 20 per cent. retained until all are delivered. Mr. Har-

ison said to me, this is a large and cash contract, and I must put in the offer as low as possible. I called on Mr. Harrison for the contract; he said if I would furnish as low as any other I could have it. Mr. H. furnished me a blank, which I filled up. Seven or eight days after he told me he had an offer from Mr. Turner. He said he preferred me, as he had no doubt the contract would be completed; that Mr. Turner had made a lower offer. Mr. Turner's proposition was \$4 per thousand. Mr. Turner was then making brick. This was last July. Mr. Harrison required a bond of \$5,000 for my compliance with the contract. I was to furnish 1,300,000 or 1,400,000, as they would require them. Mr. Brown came to my brick yard and examined my brick before Mr. H. was a member of the Board. I asked Mr. Harrison to prepare for me a blank form for the contract, which he did. Mr. Harrison said the reason he did not wish to make the contract with Mr. Turner was that he wished to have no difficulty or disappointment.

Doctor Bobbs—Knows nothing.

Rev. Mr. Ames—I am one of the trustees, and without repeating it I would confirm the opinion of Mr. Gurley, in regard to the manner of letting the contracts. I think the committee could not have done better in the contract for the brick, and brick work. I know nothing of Mr. Harrison being personally benefited directly or indirectly by the contracts, or of any promises being made to any that he should have the work. Does not recollect that the Board was informed of the contract for the brick work.

Mr. Jamison—I am satisfied that Mr. Harrison took the best course in the contract for the brick. Before Mr. H. became a member of the Board, it was the design of the Board to get some person that would do each part of the work well, without making any public offers for the work. I always opposed a public letting.

Mr. Peck—I know nothing about the contract for wood work, and nothing about the brick contract, except a conversation with Greer. I think I told Harrison that the committee had done right in letting the brick contract. The contract for the brick is at fair prices, and a good contract. My opinion is that I should have received public bids, giving myself latitude to receive or reject them. I think there are four or five firms in the city that could do the wood work well; and give security for the performance of the same. The difference between kiln count and wall count would be equal to about 10 per cent. I think that this contract is 8 or 10 per cent. more favorable than the one for the Lunatic Asylum. I think that the prices for laying the brick in the Deaf and Dumb Asylum is a fair one for the workmen. Mr. Parker received \$2 87 per thousand for laying the brick for the Blind Asylum, the openings, corners, and angles deducted. Parker furnishing every thing necessary for building except the brick.

Mr. Harrison—Last spring when I returned from Philadelphia, Turner came to me and said that he understood that I had been appointed one of the Trustees of Deaf and Dumb Asylum, and said

that he desired to bid for the brick. Told him that I would lay any proposition of his before the Board. Told me at another time that if he could get the work he could make it to my advantage. Don't remember the answer I gave. Told him that the committee doubted his ability to perform the contract; and that when I said the committee, I meant myself with the others. Turner referred me to Blake and others, as to his ability to perform the contract, I said I would not change my opinion. Turner presented a bid for the work, which I presented to the building committee. The committee however, under the circumstances, determined to let Mr. Greer have the contract. Never made a contract with a view to make money out of it. The contract for the stone and brick work of the cellar, was let at public letting. Mr. Greer was indebted to me some \$50 at the time the contract was made—consider him perfectly solvent, and able to pay his debts. There was no competition for the lumber contract. The persons who secured the contract for the lumber are prompt men in complying with their contracts. Mr. Flack did the work on the building near Browning's. Received proposals from several individuals for the work. He is in the habit of dealing with me and doing my work.

Mr. Brown—In all my intercourse with Mr. H., I have never had a conversation with him on the subject of his pecuniary advantage, in letting the contracts for the Asylum, Mr. H's course has met the approval of the building committee. Mr. Greer's brick is superior to Mr. Turner's, and if we had the contract to make over again we would not change it. I believe that in letting the contracts there was no favoritism. Mr. Harrison refused to act as treasurer for the committee, or handle the money.

Mr. Blake—Mr. Turner contracted to deliver the brick for the Insane Hospital, and complied with his contract. There was no difficulty in complying with that contract; the front brick being larger than the other brick, and consequently he could not burn the brick as he desired, because it choked the kiln. There was no difficulty in settling with Mr. Turner, for the brick furnished to the Insane Hospital. He is the oldest brick maker in the town, and complies with his contracts.

To the Chairman of Benevolent Institutions:

SIR.—It was my intention to have been present at the committee room last evening, but important business prevented me. I wish to say, as one of the building committee, that all they have done has been with the sole object, the interest of the Institution and the State, that the contracts made by Mr. Harrison met at the time, as it does now, my entire approbation. That if it became necessary that the commissioners should be bound to take the lowest bidder, I would respectfully request my name to be withdrawn.

Your ob't serv't,

L. DUNLAP.

Indianapolis, Jan. 11, 1849.

And bill reported by the committee,
No. 294. A bill to provide for the manner of letting the work of the Asylum for the Deaf and Dumb;

Was read a first time, and,

On motion by Mr. Montgomery,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Montgomery,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

Mr. Morrison asked and obtained leave to make the following report from the committee on finance:

MR. PRESIDENT:

The committee on finance to whom was referred bill of the House, No. 238, entitled an act making general appropriations for 1849, have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend its passage;

The bill was read a third time, and passed.

On motion by Mr. Read,

Bill of the House, No. 150, was taken from the table, when, Mr. Read offered the following amendment:

Add the following section:

Sec. 6. The lessee shall in no case employ or work the convicts of said prison within the corporation of the city of Jeffersonville, nor elsewhere, in violation of the provisions of this act, and for each such offence or day so offending, he shall forfeit and pay for the use of common schools, a sum not more than fifteen dollars, nor less than five dollars, to be recovered in an action of debt in the name of the State, before any Justice of the Peace of the proper township, upon complaint and satisfactory proof, and the person making such complaint and failing to obtain judgment, shall be charged with costs of said suit. *Provided*, nothing in this act shall be so construed as to prevent said lessee from doing any hauling to and from the city of Jeffersonville, immediately connected with the business of said prison;

Which amendment was adopted, and,

On motion by Mr. Read,

The rules were suspended, the amendments considered as engrossed, the bill read a third time, and passed.

The following message was received from the House of Representatives, by their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Se-

nate, that the House have passed the following engrossed bill of the Senate:

No. 229. An act to amend the act to incorporate the Ohio and Mississippi Rail Road Company;

With one amendment, in which the concurrence of the Senate is respectfully requested.

On motion by Mr. Ellis,

The Senate concurred in the engrossed amendment of the House to engrossed bill of the Senate entitled,

No. 229. A bill to amend the act to incorporate the Ohio and Mississippi Rail Road Company.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bill of the Senate:

No. 138. An act to revise and consolidate the several acts of the General Assembly in relation to laying out, opening, repairing, changing and vacating public highways, and the erection and repair of bridges, and to amend the same;

With one amendment, in which the concurrence of the Senate is respectfully requested.

And,

On motion,

The engrossed amendments of the House to the engrossed bill of the Senate, was concurred in.

Mr. Stewart asked and obtained leave to make the following report from the committee on education:

MR. PRESIDENT:

The committee on education to which was referred bill of the House of Representatives, No. 77, entitled "an act relating to the Baptist Educational Society for Indiana," have had the same under consideration, and directed me to report the same back to the Senate without amendment, and recommend its passage;

And the bill was read a third time and passed.

Mr. Porter asked and obtained leave, to make the following report from the judiciary committee:

MR. PRESIDENT:

The judiciary committee to whom was referred Senate bill No.

180, entitled "an act to legalize the marriage of Thomas and Elizabeth Berry, late of Marriion county, have had the same under consideration and have directed me to report the same back to the Senate, and recommend that it be laid on the table;

When Mr. Walpole moved to suspend the rules and consider the bill as engrossed, and read it a third time now, and,

The ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Cassatt, Coates, Conduit, Day, of St. Joseph, Dole, English Garver, Graham, Green, Hardin, Hendricks, Houghton, Huffstetter, Marsh, Miller, Montgomery, Morrison, Read, Simpson, Stewart, Taber, Walpole, and Waters—23.

Those who voted in the negative are,

Messrs. Adams, Beard, Davis, Hamrick, Harvey, Henry, Herod, Holloway, McCarty, Orth, Porter, Randall, and Robinson—14.

So the rules were not suspended.

Mr. Morrison asked and obtained leave to offer the following resolution:

Resolved, That the thanks of the Senate are due, and are hereby tendered to the Reporters of the "Indiana State Sentinel," and the "Indiana State Journal," for the faithful and impartial manner in which they have discharged the duties of Reporters to this Senate;

Which resolution was adopted.

Mr. Conduit asked and obtained leave, to introduce the following bill:

No. 295. A bill to amend the 1st article of the 7th chapter of the Revised Statutes of 1843;

Was read a first time, and,

On motion by Mr. Conduit,

The rules were suspended, and the bill read a second time, and,

On further motion of Mr. Conduit,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

The Senate then resumed the consideration of bills contained in the message taken up on Saturday last.

No. 295. A bill in relation to a State road;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time; and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 208. A bill for the better security of the Surplus Revenue fund in Boone county;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 324. A bill to establish a State road in the counties of Rush and Henry;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 326. A bill for the relief of Christian Church, at Stilesville, Hendricks county, Indiana;

Was read a first time; and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

No. 337. A bill in relation to paupers in Dearborn county;

Was read a first time, and,

On motion,

The rules were suspended, and the bill was read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 328. A bill to establish a State road from Bloomington to Point Commerce;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 329. A bill to improve a certain road in DeKalb county;

Was read a third time, and,

On motion,

The rules were suspended, and the bill was read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

No. 230. A bill to amend an act entitled "An act appointing a board of superintendents to superintend the changing of the channel and leveling the banks of Jordan creek, Vigo county, and for other purposes;" approved January 15, 1846;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 334. A bill to authorize the Shelbyville Lateral railroad company to dispose of their real estate;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 335. A bill declaring the width of a certain street in the town of Bloomington;

Was read a first time; and,

On motion,

The rules were suspended, and the bill read a second time; and,

On further motion,

The rules were suspended, and the bill read a third time and passed.

No. 336. A bill to amend the act entitled, "an act to incorporate the Madison and Brownstown Turnpike Company;

Was read a first time; and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 337. A bill authorizing the location of a State road from the Michigan road near Carroll Post Office, in Carroll county, to Jonesborough in Grant county;

Was read a first time; and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, the bill was read a third time, and passed.

The following message was received from the House of Representatives by their Clerk:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof:

No. 177. An act to incorporate the Warsaw Manufacturing Company.

No. 213. An act to amend the 105th section of chapter 16, of the Revised Statutes of 1843.

No. 266. An act to amend article 13 of chapter 40, of the Revised Statutes of 1843.

No. 269. An act to incorporate the Montezuma Canal Lock Company.

No. 311. An act to amend the 209th section of chapter 30, of the Revised Statutes of 1843.

No. 313. An act to incorporate the Preachers Relief Society of the Methodist Protestant Church of Indiana.

No. 339. An act to amend an act for the relief of Carey S. Goodrich, approved January 27, 1847.

No. 340. An act to incorporate the Paris and Dupont Railroad Company.

No. 341. An act authorizing the removal of obstructions in Salt Creek, Bean Blossom and Clear Creek, in Monroe county.

No. 342. An act to repeal an act, approved February 12, 1848.

No. 343. An act to repeal an act entitled, "an act to repeal the 4th section of 47th chapter of the Revised Statutes, so far as relates to Elkhart county.

No. 344. An act to locate a State road in the counties of Grant and Delaware.

No. 345. An act to incorporate the Muncie, Jonesboro, Marion, and Peru Railroad Company.

No. 347. An act to secure to the common school fund of Jennings county the value and rents of certain real estate in said county, and for other purposes.

No. 349. An act legalizing a State road in Porter county.

In which the concurrence of the Senate is respectfully requested.

No. 177. A bill to incorporate the Warsaw Manufacturing Company;

Which was read a first time; and,

On motion,

The rules were suspended and the bill read a second time; and,

On further motion,

The rules were further suspended and the bill read a third time and passed.

No. 213. A bill to amend the 105th section of chapter 16, of the Revised Statutes of 1843;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time; and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

No. 266. A bill to amend article 13 of chapter 40, of the Revised Statutes of 1843;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended the bill read a third time and passed.

No. 269. A bill to incorporate the Montezuma Canal Lock Company;

Was read a first time; and,

On motion,

The rules were suspended and the bill read a second time; and,

On further motion,

The rules were further suspended and the bill read a third time and passed.

No. 311. A bill to amend the 209th section of chapter 30 of the Revised Statutes of 1843;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time; and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 313. A bill to incorporate the Preachers' Relief Society of the Methodist Protestant Church of Indiana;

Was read a first time; and,

On motion,

The rules were suspended and the bill read a second; and,

On further motion,

The rules were further suspended and the bill read a third time and passed.

No. 339. A bill to amend an act for the relief of C. S. Goodrich. Approved, Jan. 27, 1847;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time; and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 340. A bill to incorporate the Paris and Dupont Rail Road Company;

Was read a first time; and,

On motion,

The rules were suspended and the bill was read a second time; and,

On further motion,

The rules were further suspended and the bill was read a third time and passed.

No. 341. A bill authorizing the removal of obstructions in Salt Creek, Bean Blossom, and Cedar Creek, in Monroe county ;

Was read a first time ; and,

On motion,

The rules were suspended, the bill read a second time ; and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 342. A bill to repeal an act, approved, February 12, 1848 ;

Was read a first time ; and,

On motion,

The rules were further suspended and the bill read a second time ; and,

On further motion,

The rules were further suspended and the bill read a third time and passed.

No. 343. A bill to repeal an act entitled "an act to repeal the 4th section of 47th chapter of the Revised Statutes, so far as relates to Elkhart county ;

Was read a first time ; and,

On motion,

The rules were suspended and the bill was read a second time ; and,

On further motion,

The rules were further suspended and the bill read a third times and passed.

No. 344. A bill to locate a State road in the counties of Grant and Delaware ;

Was read a first time ; and,

On motion,

The rules were suspended, the bill read a second time ; and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 345. A bill to incorporate the Muncie, Jonesborough, Marion, and Peru Rail Road Company ;

Was read a first time ; and,

On motion,

The rules were suspended, the bill read a second time ; and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 347. A bill to secure the common school fund of Jennings county the value and rents of certain real estate in said county, and for other purposes ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 349. A bill legalizing a State road in Porter county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time ; and,

On further motion,

The rules were further suspended and the bill read a third time and passed.

On motion,

The Senate adjourned.

2 o'clock, P. M.

The Senate met.

Mr. Sleeth asked and obtained leave to make the following report from the committee on the judiciary :

MR. PRESIDENT :

The judiciary committee, to whom was referred the petition of William B. Mullins, praying to be divorced from his wife Jane, have had that subject under consideration, and have directed me to report the same back to the Senate, and recommend that legislation thereon is inexpedient.

Which report was concurred in, and the petition laid upon the table.

Mr. Walpole asked and obtained leave to introduce the following bill, entitled

No. 296. A bill to confirm a settlement made between the county commissioners of Hancock county and James D. Henry, and for other purposes ;

Which was read a first time ; and,

On motion by Mr. Walpole,

The rules were suspended and the bill read a second time ; and,

On further motion by Mr. Walpole,

The rules were further suspended, the bill considered as engrossed, read a third time and passed.

Mr. Harvey asked and obtained leave to make the following report from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary, to whom was referred bill of the Senate No. 242, entitled "a bill to extend the provisions of certain acts therein named," have had the same under consideration, and instructed me to report said bill back without amendment, and recommend its passage.

On motion,

The rules were suspended, the bill read a third time, and passed.

When,

Mr. Harvey moved to amend the title of said bill as follows :

Strike out the title, and insert the following in lieu thereof :
"A bill relative to the duties of prosecuting attorneys."

Which amendment was adopted.

Mr. Robinson asked and obtained leave to present the petition of sundry citizens of the county of Decatur, relative to the retailing of spirituous liquors in the county of Decatur ;

Which,

On motion by Mr. Robinson,

Was laid upon the table.

On motion by Mr. English,

Bill of the House, entitled

No. 348: A bill for the relief of Martha Moderwell, widow of Adam Moderwell, deceased ;

Was taken from the table, and ordered to a third reading.

Mr. Herod asked and obtained leave to make the following report from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary, to whom was referred bill of the Senate No. 254, entitled "an act to regulate agencies of foreign insurance companies, have had that bill under consideration, and have directed me to report that in the opinion of said committee, legislation at this time upon that subject would be inexpedient, and recommend that the bill be laid on the table, and ask to be discharged.

Which report was concurred in, the committee discharged, and the bill laid upon the table.

Mr. Davis asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred bill of the House No. 89, authorizing the Governor to sell certain rock belonging to the

State, have had the same under consideration, and have directed me to report said bill back to the Senate, and recommend its passage.

When,

On motion,

The bill was laid upon the table.

Mr. English asked and obtained leave, to introduce the following joint resolution, entitled;

No. 297: A joint resolution instructing our Senators, and requesting our Representatives, to procure the Donations from Congress of 4000 acres of land in Miami Reserve, in lieu of 4000 acres of land confirmed to the President and Trustees of Vincennes, of lands previously donated to the State of Indiana in the two townships of land for the use of the Indiana Seminary.

Which was read a first time, and,

On motion by Mr. English,

The rules were suspended,

The joint resolution read a second time,

When,

On motion by Mr. Cassatt,

The joint resolution was referred to a select committee consisting of

Messrs. Cassatt, English and Hendricks.

On motion by Mr. Robinson,

Joint Resolution of the Senate, No. 289, was taken from the orders of the day;

Read a second time and, referred to the committee on finance.

Mr. Davis asked and obtained leave, to introduce the following joint resolution:

No. 298. A joint resolution relative to the Harbor at Michigan City.

Which was read a first time, and,

The rules were suspended, and the bill read a second time, and,

Mr. Day of St. Joseph moved the following amendment to the joint resolution :

Add the words "and at the Harbor at the mouth of the St. Joseph river, and the navigation of the St. Joseph river."

Which amendment was adopted, and,

On motion,

The rules were suspended, and the joint resolution considered as engrossed, and read a third time and passed.

Mr. Henry asked and obtained leave, to make the following report from the committee on corporations :

MR. PRESIDENT :

The committee on the judiciary to whom was referred, bill of the Senate No. 226, now report the same back to the Senate, as ordered; when the rules were suspended, and the bill entitled :

No. 226. A bill directing the Secretary of State to make patents to certain Michigan Road Lands ;

Considered as engrossed, read a third time and passed.

On motion,

The previous order of business was suspended, and leave granted to make reports from standing and select committees.

By Mr. Harvey,

MR. PRESIDENT :

The committee on the judiciary to whom was referred, bill of the House No. 130, entitled, "an act extending the provisions of an act therein named," have had the same under consideration, and inasmuch as the provisions of said bill are contained in a bill of the Senate, said committee have instructed me to report said bill back to the Senate, and recommend that it be laid upon the table.

Which report was concurred in, and,

The bill laid upon the table.

By Mr. Harvey.

MR. PRESIDENT :

The committee on the judiciary to whom was referred, bill of the Senate No. 122, have had the same under consideration, and instructed me to report, that it is unnecessary to legislate upon the subject matter of said bill, and recommend that said bill be laid upon the table.

Which report was concurred in, and,

The bill laid upon the table.

By Mr. Henry,

MR. PRESIDENT :

The committee on the judiciary to whom was referred, bill of the Senate No. 214, entitled, "an act for the relief of John Zulauf," have had the same under consideration, and directed me to report the same back to the Senate, and recommend that it is inexpedient to legislate further upon the subject.

Which report was concurred in, and,

The bill laid upon the table.

By Mr. Henry,

MR. PRESIDENT :

The committee on the judiciary to whom was referred, bill of the House No. 171, entitled, "an act for the relief of the persons therein named," which relates to the estate of Arthur Major, deceased, have had the same under consideration, and directed me to report the same back to the Senate for further action thereon.

When Mr. Stewart moved to lay the bill upon the table, and,

The ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Day of St. Joseph, Evans, Harvey, Herod, Orth, Randall and Stewart—7.

Those who voted in the negative are,

Messrs. Adams, Beard, Cassatt, Coates, Conduit, Dole, Ellis, English, Graham, Green, Hamrick, Hardin, Hendricks, Henry, Houghton, Huffstetter, James, Malott, McCarty, Milligan, Morrison, Porter, Read, Robinson, Simpson, Sleeth, Taber, Walpole, and Waters—30.

So the bill was not laid upon the table ; and,

Mr. Stewart moved to strike out the preamble ;

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Davis, Day of St. Joseph, Garver, Harvey, Henry, Herod, Holloway, Houghton, Montgomery, Morrison, Orth, Randall, Read, Simpson, and Stewart—15.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Coates, Conduit, Dole, English, Graham, Green, Hamrick, Hardin, Hendricks, Huffstetter, James, Malott, Martin, McCarty, Milligan, Miller, Porter, Robinson, Sleeth, Taber, Walpole, and Waters—25.

So the amendment was not adopted, and the bill was read a third time, and on the passage,

The ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Beard, Buckles, Coates, Day, of St. Joseph, Dole, Graham, Green, Hamrick, Hardin, Hendricks, Henry, Houghton, Huffstetter, James, Martin, McCarty, Milligan, Miller, Morrison, Porter, Read, Robinson, Simpson, Sleeth, Taber, Walpole, and Waters—28.

Those who voted in the negative are,

Messrs. Davis, Harvey, Herod, Holloway, Montgomery, Orth, Randall, and Stewart—8.

So the bill passed.

On motion by Mr. Beard,

Leave of absence was granted to Mr. Day of Kosciusko, for the remainder of the session.

By Mr. Davis,

MR. PRESIDENT:

The committee on the State Bank to which was referred the reports of the State Bank and its various branches, have had the same under consideration and find that said Bank and branches have been safely managed, and that no Legislation is necessary in relation to said bank. Said committee therefore report said reports back to the Senate, and ask that they may be laid upon the table, and said committee discharged from their further consideration;

Which report was concurred in, and the committee discharged.

By Mr. Davis:

MR. PRESIDENT:

The committee on the State Bank to which was referred the petition of sundry persons asking the creation of additional bank districts, have had the same under consideration and have directed me to report that it would be inexpedient at this time to grant the prayer of the petitioners. Said committee therefore ask to be discharged from the further consideration;

Which report was concurred in, and the committee discharged.

By Mr. Randall:

MR. PRESIDENT:

The committee on the Judiciary to whom was referred the petition of citizens of Fulton county, in regard to the inequalities of the surveys of the lands lying on the Michigan road, have had the same under consideration and have instructed me to report that it is inexpedient at this time to legislate upon the subject, and ask to be discharged from the further consideration of the subject;

Which report was concurred in.

By Mr. Cassatt:

MR. PRESIDENT:

The select committee to whom was referred joint-resolution No. 297, have considered the same and instructed me to report the same back with the following amendment, and when so amended to recommend its passage;

Amendment referred to in the above report.

And be it further Resolved, That our Senators be instructed, and our Representatives requested to vote for and use their influence to procure the grant of the public lands in the Miami Reserve, to Congressional township No. 27 north, range 6 east, equal in value to five hundred acres of the 16th section, which was lost to said township by being reserved to J. B. Richardville in the treaty of 1838;

Which amendment was adopted; and,

On motion by Mr. Cassatt,

The rules were suspended, the joint-resolution considered as engrossed, read a third time and passed.

By Mr. Garver:

MR. PRESIDENT:

The select committee to which was referred bill of the House No. 34, entitled, "an act to regulate the fees and salaries of certain officers in Delaware county," have had the same under consideration, and instructed me to report the same back without amendment, for the action of the Senate;

And the bill was ordered to a third reading.

Mr. Beard asked and obtained leave to introduce the following joint resolution:

No. 299. A joint resolution to procure information for the benefit of common schools;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time; and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

Mr. Orth asked and obtained leave to present the following petition of Thomas Shannon, asking for the passage of an act therein named;

Which,

On motion by Mr. Orth,

Was referred to the committee on claims.

Mr. Cassatt asked and obtained leave to introduce the following resolution:

Whereas, this Legislature has, by resolution, agreed to adjourn on the 26th instant; And whereas, there remains a large amount of business on file, yet unfinished, and which for want of more time, cannot be acted upon without prolonging the present session. Therefore, be it

Resolved, by the Senate, the House concurring therein, that the operation of the resolution aforesaid, be and the same are hereby suspended till Thursday, the 18th instant;

When Mr. Conduit moved to amend by striking out "Thursday," and inserting "Wednesday;"

Which amendment was not adopted.

When Mr. Hardin offered the following amendment:

Add the following:

"For the purpose of receiving messages from the Governor; but no legislative business shall be transacted after Tuesday;"

And upon the adoption of the same,

And the ayes and noes being demanded by two Senators,

They were ordered:

Those who voted in the affirmative are,

Messrs. Beard, Buckles, Coates, Conduit, Davis, Day, of St. Joseph, English, Green, Hardin, Herod, Houghton, Huffstetter, James, Martin, Porter, Randall, Read, Rousseau, and Taber—19.

Those who voted in the negative are,

Messrs. Adams, Cassatt, Garver, Graham, Hamrick, Harvey, Hendricks, Henry, Holloway, McCarty, Miller, Montgomery, Morrison, Orth, Robinson, Simpson, Sleeth, Stewart, and Waters—19.

So the amendment was not adopted.

The question again recurring on the passage of the original resolution, and,

And the ayes and noes being demanded by two Senators,
They were ordered:

Those who voted in the affirmative are,

Messrs. Cassatt, English, Garver, Green, Graham, Hamrick, Harvey, Hendricks, Henry, Montgomery, Orth, Randall, Sleeth, Stewart, Walpole, and Waters—16.

Those who voted in the negative are,

Messrs. Adams, Beard, Buckles, Coates, Conduit, Davis, Day, of St. Joseph, Dole, Hardin, Herod, Holloway, Houghton, Huffstetter, James, Martin, McCarty, Miller, Morrison, Porter, Read, Robinson, Simpson, and Taber—23.

So the resolution was not adopted.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the House:

No. 373. An act to regulate the Clerk's fees in the Probate Court of the county of Parke;

In which the concurrence of the Senate is respectfully requested.

And said bill was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill of the Senate, with one amendment:

No. 204. A bill fixing the compensation and defining the duties of the Prosecuting Attorney of Hancock county;

In which the concurrence of the Senate is respectfully requested.

When,

On motion by Mr. Walpole,
The Senate concurred in the engrossed amendment of the House to the said engrossed bill of the Senate.

Mr. Herod asked and obtained leave to introduce the following bill, entitled,

No. 300. A bill in relation to School District No. 7, in the town of Hartsville, Bartholomew county;

Which was read a first time, and,

On motion by Mr. Herod,

The rules were suspended, the bill read a second time, and

On further motion by Mr. Herod,

The rules were further suspended, the bill considered as engrossed, read a third time, and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bills of the Senate:

No. 148. An act authorizing the County Auditors of Laporte and St. Joseph, to make deeds in certain cases;

No. 153. An act to regulate the jurisdiction of Justices of the Peace in Jefferson and Rush counties;

No. 171. An act to regulate the fees and emoluments of the Auditors and Treasurers of Lagrange and Steuben counties;

No. 178. An act to reduce the expenses of the Circuit Court in the counties of Green and Brown, and for other purposes;

With sundry amendments thereto,

In which the concurrence of the Senate is respectfully requested.

On motion,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 148. A bill authorizing the county Auditors of Laporte and St. Joseph, to make deeds in certain cases.

On motion,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 153. A bill to regulate the jurisdiction of Justices of the Peace, in Jefferson and Rush counties.

On motion,

The Senate refused to concur in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 171. A bill to regulate the fees and emoluments of the Auditors and Treasurers of Lagrange and Steuben counties;

On motion,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 178. A bill to reduce the expenses of the circuit court in the counties of Greene and Brown, and for other purposes.

Mr. Davis asked and obtained leave to introduce the following bill:

No. 301. A bill in relation to school lands in Floyd county;

Which was read a first time; and,

On motion by Mr. Davis,

The rules were suspended and the bill read a second time; and,

On further motion by Mr. Davis,

The rules were further suspended and the bill read a third time and passed.

Mr. Porter asked and obtained leave to make the following report, from the judiciary committee:

MR. PRESIDENT:

The judiciary committee, to whom was referred bill of the House, No. 129, entitled "an act to amend an act, entitled an act, to amend article 5, of chapter 45, of the Revised Code of 1843, approved, February 16th, 1848," have had that bill under consideration and have directed me to report the same back to the Senate, and recommend its passage.

And the bill was read a third time and passed.

Mr. Porter asked and obtained leave to make the following report, from the judiciary committee:

MR. PRESIDENT:

The judiciary committee, to whom was referred Senate bill, No. 164, entitled "a bill to amend an act in relation to the sale of real estate, by executors and administrators, approved, Jan. 13, 1845," have had that bill under consideration and have directed me to report the same back to the Senate, and recommend its passage.

And,

On motion by Mr. Porter,

The rules were suspended, the bill read a third time, and passed.

Mr. Porter asked and obtained leave to make the following report, from the committee on federal relations:

MR. PRESIDENT:

The committee on federal relations, to whom was referred a joint resolution of the Senate, No. 32, entitled "a joint resolution on the subject of the extension of slavery," have had that resolution under consideration, and a majority of them have directed me to report the same back to the Senate, and recommend that inasmuch as

a joint resolution on the same subject has already passed the Senate, further legislation on that subject, is unnecessary.

Which report was concurred in and the joint resolution was laid upon the table.

Mr. Beard asked and obtained leave to make the following report, from the committee on education :

MR. PRESIDENT :

The committee on education, to whom was referred bill of the Senate, No. 173, a bill to amend an act, entitled an act, to authorize county Auditors to sell lands at private sale, which have been bid in for the use of the School Fund, approved, Jan. 28, 1847, have had that subject under their consideration and directed me to report the same to the Senate, without amendment, and recommend its passage.

When,

On motion,

The bill was laid upon the table.

Mr. Buckles asked and obtained leave to make the following report, from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary, to whom was referred bill of the Senate, No. 210, to amend sections 48, 49, and 50, of chapter 29, of Revised Statutes, of 1843, relative to foreclosing mortgages, have had the same under consideration and directed me to report it back and recommend that it is inexpedient to legislate upon the subject.

Which report was concurred in and the bill was laid upon the table.

Mr. Morrison asked and obtained leave to make the following report, from the committee on finance :

MR. PRESIDENT :

The committee on finance, to whom was referred a joint resolution of the Senate, No. 289, entitled a joint resolution authorizing the Governor, or Agent of State, to make a sale of all or any real estate owned by the State of Indiana, in the State of Georgia, have had the subject under consideration and have directed me to report the same back to the Senate, and recommend its passage.

And the joint resolution was read a third time and passed.

Mr. Morrison from the committee on finance, asked and obtained leave to introduce the following report :

MR. PRESIDENT :

The committee on finance, to whom was referred bill of the House, No. 239, entitled "an act to raise a revenue for State purposes for 1849," have had the same subject under consideration, and have directed me to report the same back to the Senate, without amendment, and respectfully recommend its passage.

And the bill was read a third time and passed.

Mr. Buckles asked and obtained leave to make the following report, from the committee on the judiciary :

MR. PRESIDENT :

The Judiciary Committee to whom was referred bill of the Senate No. 66, "conferring power on citizens of incorporated cities, towns, boroughs, and villages, to cause suit to be instituted, &c.," have had the same under consideration, and directed me to report it back and recommend that it is inexpedient to legislate upon the subject.

The report was concurred in, and

The bill laid upon the table.

Mr. Mills moved to take from the orders of the day bill of the House,

No. 258. A bill to repeal an act therein named ;

Was read a second time, and,

On motion by Mr. Miller,

The rules were suspended, the bill read a third time and passed.

Mr. Henry moved to take from the files bill of the House,

No. 230. A bill to amend an act entitled "An act appointing a board of superintendents to superintend the changing of the channel, and leveling the banks of Jordan creek, Vigo county, and for other purposes;" approved January 15, 1846 ;

Which was read a second time, and,

On motion by Mr. Henry,

The rules were suspended, and the bill read a third time, and passed.

On motion by Mr. Taber.

Bill of the Senate was taken from the orders of the day, entitled,

No. 141. A bill to authorize the erection of dams across the Wabash river, also the Delphi dam ;

Which was read a third time and passed.

Mr. Mr. Walpole asked and obtained leave to introduce the following joint resolution, entitled,

No. 302. A joint resolution relative to the central plank road company, east of Indianapolis;

Which was read a first time, and,

On motion by Mr. Walpole,

The rules were suspended, the bill read a second time, and,

On further motion by Mr. Walpole,

The rules were further suspended, the joint resolution considered as engrossed, read a third time and passed.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT.

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof:

No. 374. An act for the relief of the land owners along the northern line of Ohio county.

No. 375. An act to change a portion of a certain State road in the county of Clay.

In which the concurrence of the Senate is respectfully requested.

No. 374. A bill for the relief of the land owners along the northern line of Ohio county ;

Was read a first time ; and,

On motion,

The rules were suspended, and the bill read a second time ; and

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

No. 375. A bill to change a portion of a State road in the county of Clay ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the the House have passed the following engrossed bill thereof:

No. 114. An act authorizing a compensation to be made to the Adjutant General for organizing the 4th and 5th Regiments of Indiana Volunteers.

In which the concurrence of the Senate is respectfully requested.

Which bill was read a first time, and,

On motion,

The rules were suspended, the bill read a second time,

When Mr. Stewart moved to suspend the rules, and read the bill a third time now ;

And the ayes and noes being demanded by two Senators,

They were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Coates, Day, of St. Joseph, Dole, English, Garver, Graham, Green, Hardin, Hendricks, Henry, Houghton, Huffstetter, James, Martin, McCarty, Miller, Morrison, Randall, Read, Rousseau, Sleeth, Stewart, Taber, Walpole, and Waters—26.

Those who voted in the negative are,

Messrs. Beard, Conduit, Davis, Hamrick, Harvey, Herod, Holloway, Montgomery, Orth, Porter, Robinson, and Simpson—12.

So the rules were suspended, and the bill read a third time,

And on the passage of the bill,

And the ayes and noes being demanded by two Senators,

They were ordered :

Those who voted in the affirmative are :

Messrs. Adams, Day, of St. Joseph, English, Garver, Graham, Green, Hardin, Henry, Huffstetter, James, Martin, McCarty, Morrison, Randall, Read, Sleeth, Stewart, Walpole, and Waters—19.

Those who voted in the negative are :

Messrs. Beard, Cassatt, Conduit, Davis, Dole, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Miller, Montgomery, Orth, Porter, Robinson, Simpson, and Taber—18.

So the bill passed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bills of the Senate :

No. 244. An act to authorize the board of county commissioners

of Monroe county to make an additional allowance to the probate judge of said county ;

No. 50. An act to authorize the establishment of a ferry across the Wabash river at the town of Independence ;

No. 114. An act to incorporate the Franklin and White River Turnpike Company ;

No. 265. An act for the relief of Seth Bacon ;

No. 259. An act to increase the pay of the probate judges of certain counties therein named ;

With sundry amendments thereto, in which the concurrence of the Senate is respectfully requested.

And,

On motion,

The Senate concurred in the engrossed amendments of the House to the said engrossed bill of the Senate, entitled,

No. 244. A bill to authorize the board of county commissioners of Monroe county to make an additional allowance to the probate judge of said county.

Also,

On motion,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 50. A bill to authorize the establishment of a ferry across the Wabash river at the town of Independence.

Also,

On motion,

The Senate concurred in the engrossed amendments of the House to the engrossed bill of the Senate, entitled,

No. 114. A bill to incorporate the Franklin and White River Turnpike Company.

Also,

On motion,

The Senate concurred in the amendment of the House to the said engrossed bill of the Senate, entitled,

No. 265. A bill for the relief of Seth Bacon.

Also,

On motion,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate, entitled,

No. 259. A bill to increase the pay of certain probate judges of certain counties therein named ;

With the following amendment :

"Strike out the county of Warren."

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 370. An act to provide for the manner of letting the work of the Asylum for the education of the Deaf and Dumb.

In which the concurrence of the Senate is respectfully requested.

Which bill was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following bill to-wit :

No. 280. A bill in relation to the Agent of State for loaning the surplus revenue in Clarke county ;

In which the concurrence of the Senate is respectfully requested.

Which bill,

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have refused to concur in the engrossed amendment of the Senate to engrossed bill of the House :

No. 82. An act to incorporate the town of Lamasco City, and define the powers of the president and trustees thereof :

When,

On motion,

The Senate refused to recede from their amendment.

Ordered, That the House be informed thereof.

The following message was received from the House of Representatives, by their Clerk.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof :

No. 43. An act to vacate part of the town of Sparta in Noble county ;

No. 267. An act to incorporate the town of Anderson in Madison county ;

In which the concurrence of the Senate is respectfully requested.

And bill No. 43,

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were suspended, and the bill read a third time, and passed.

And said bill No. 267,

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and referred to a select committee consisting of Messrs. Walpole, Green and Hamrick ;

When, on leave granted,

Mr. Robinson offered the following resolution :

Resolved, That when the Senate adjourns it will adjourn to meet at half past six o'clock, P. M. ;

Which was adopted.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills thereof :

No. 66. An act relating to certain officers in the county of Dearborn ;

No. 203. An act to alter the time of holding circuit courts in Owen, Morgan, and Brown counties, in the 10th judicial circuit ;

No. 234. An act relative to the pay of the probate judge of the county of Grant ;

No. 245. An act extending the provisions of chapter 16 of the

Revised Statutes of 1843 to the county of Noble, and for other purposes ;

No. 260. An act to attach additional territory to the county of Laporte, and for other purposes ;

No. 273. An act to authorize a survey, and the making of a plat of the town of Troy in Perry county ;

No. 275. An act to locate a State road in the county of Switzerland ;

No. 279. An act to prevent the sale of spirituous liquors in Posey township in the county of Rush ;

No. 281. An act to authorize the board of commissioners of the county of Howard to borrow money for a certain purpose ;

No. 285. An act to incorporate the Madison Manufacturing and Ship Yard Company ;

No. 287. An act to amend the charter of the town of Williamsburgh in Wayne county ;

No. 288. An act to amend an act entitled "An act for the extension of a State road in Laporte county to Winnemac in Pulaski county ;

No. 290. An act to incorporate the Connersville and Brownsville Turnpike Company ;

No. 291. An act to authorize the county commissioners of Daviess county to vacate State roads therein named, and for other purposes ;

No. 292. An act to amend article 5 of the Revised Statutes of 1843, relative to a writ of *ad quod damnum* ;

No. 293. An act to incorporate the Electric Institute of Indiana ;

No. 294. An act to repeal the latter part of the 6th section of an act in relation to the Northern Division of the Central Canal, approved January 13, 1846 ;

No. 296. An act in relation to the jurisdiction of justices of the peace in Wayne county ;

No. 297. An act regulating the mileage of members of the General Assembly, and others ;

No. 300. An act to legalize certain acts of the board of commissioners of Lagrange county ;

No. 301. An act to amend article 2d of chapter 42d of the Revised Statutes of 1843 ;

No. 302. An act for the relief of Elisha Driskill ;

No. 303. An act to amend an act entitled "An act for the relief of the securities of John Plasters, school commissioner of Miami county," approved February 2, 1843 ;

No. 304. An act authorizing a State road running from Jonesborough in Grant county to Lafayette in Tippecanoe county ;

No. 305. An act authorizing the leasing of the finished portion of the central canal, and for other purposes ;

No. 351. An act to amend the eighth article of the twelfth chapter of the Revised Code ;

No. 352. An act to amend an act to incorporate the Richmond and Boston Turnpike Company;

No. 353. An act declaring Market street as originally laid off on the south side of out-lots Nos. 59, 60 and 61, of the town of Indianapolis, a public highway;

No. 354. An act to incorporate the town of Cloverdale;

No. 355. An act to locate a State road in Allen county;

No. 357. An act to incorporate the Frankfort Railroad Company;

No. 358. An act to vacate a certain road in the county of Switzerland.

No. 359. An act to authorize the voters of Switzerland county to determine the location of the county seat of said county, and to fix the same;

No. 360. An act setting apart two acres of ground in Marshall county for a burying ground;

No. 361. An act to repeal an act therein named;

No. 362. An act to amend the act approved 15th January. 1844, in relation to the publication of delinquent lists, so far as relates to the counties of Stuben and DeKalb;

No. 363. An act vacating the town of Mount Pleasant in the county of Madison.

No. 364. An act for the relief of John Condra and others.

No. 365. An act to amend the act entitled "an act to authorize the people of the several townships in the several counties to prohibit the retailing of spirituous liquors," approved January 28, 1847.

No. 367. An act to amend an act empowering Rachel Blair, administratrix of the estate of Enos Blair, deceased, former collector of Monroe county, to collect arrears of taxes, approved January 19, 1846.

No. 368. An act in reference to the appointment of probate judge of Wayne county.

In which the concurrence of the Senate is respectfully requested.

No. 66. A bill relating to certain offices in the county of Dearborn;

Was read a first time; and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

No. 203. A bill to alter the time of holding circuit courts in Owen, Morgan, and Brown counties, in the 10th judicial circuit;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

No. 234. A bill relative to the pay of the probate judge of the county of Grant;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

No. 245. A bill extending the provisions of chapter 16 of the Revised Statutes of 1843 to the county of Noble, and for other purposes;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

No. 260. A bill to attach additional territory to the county of Laporte, and for other purposes;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

Referred to a select committee consisting of, Messrs. Day of St. Joseph, Taber, and Martin.

No. 273. A bill to authorize a survey, and the making of a plat, of the town of Troy, in Perry county;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

No. 275. A bill to locate a State road in the county of Switzerland;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, when Mr. Walpole moved the following amendment to the bill:

Add the following section:

"That so much of the Indianapolis and Newcastle State road as lies in Hancock county, and that now passes over the northeast quarter of section 21, be and the same is so changed as to continue on the west line of said quarter section, until it intersects the county road that now runs along the north line of the same, and thence east to Ferrell's school house."

Which amendment was adopted, and,

On motion,

The rules were further suspended, and the bill read a third time, and passed.

When Mr. Walpole moved the following amendment to the title, Add the words, "and Hancock ;"

Which amendment was adopted.

No. 279. A bill to prevent the sale of spirituous liquors in Posey township, in the county of Rush ;

Was read a first time, and

On motion,

The rules were suspended, and the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 281. A bill to authorize the board of commissioners of the county of Howard to borrow money for a certain purpose ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, and the bill read a third time, and passed,

No. 285. A bill to incorporate the Madison Manufacturing and Ship Yard Company ;

And the bill was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 287. A bill to amend the charter of the town of Williamsburg, in Wayne county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 288. An act to amend an act entitled an act for the extension of a State road in Laporte county to Winnemac in Pulaski county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 290. A bill to incorporate the Connersville and Brownsville Turnpike Company ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 291. A bill to authorize the county commissioners of Daviess county to vacate State roads therein, and for other purposes ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 292. An act to amend article fifth of the Revised Statutes of 1843, relative to writs of *ad quod damnum* ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 293. A bill to incorporate the Electric Institute of Indiana ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 294. A bill to repeal the latter part of the 6th section of an act in relation to the Northern Division of the Central Canal, approved, January 13, 1846 ;

Was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 296. An act in relation to the jurisdiction of justices of the peace in Wayne county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate that the House have concurred in the engrossed amendment of the Senate, No. 1, without amendment, and in the engrossed amendments of the Senate, Nos. 2, 3, and 4, with amendments, to engrossed bill of the House,

No. 95. An act to incorporate the Central Plank Road Company. In which amendments the concurrence of the Senate is respectfully requested.

When Mr. McCarty moved to concur in the amendments of the House to the engrossed amendments of the Senate to said engrossed bill of the House with the following amendment :

Amend the second amendment of the House by striking it out and inserting as follows—

“That the value of the clearing, grading, bridging, and other work and materials of the State, entering into and provided for the construction of the National Road, shall be assessed by competent engineers, to be appointed by the Governor of the State, and the State shall be a stockholder in said road to the extent of said value.”

And upon the motion to concur with the proposed amendment, The ayes and noes were demanded by two Senators :

Those who voted in the affirmative are,

Messrs. Day, of St. Joseph, English, James, McCarty, Miller, Morrison, and Taber—7.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Davis, Dole, Ellis, Graham, Green, Hamrick, Harvey, Hendricks, Holloway, Houghton, Montgomery, Orth, Randall, Robinson, Simpson, Stewart, and Walpole—20.

No quorum voting.

On motion,

The Senate adjourned until half past six o'clock this evening.

6½ o'clock, P. M.

The Senate met.

On motion by Mr. Walpole,

The Senate resumed the consideration of the engrossed amendment of the House to the engrossed amendment of the Senate to the engrossed bill of the House,

No. 95.

The question being upon the concurring in the said engrossed amendment of the House with the amendment proposed by Mr. McCarty ;

And upon which,

The ayes and noes were demanded by Messrs. McCarty and Buckles :

Those who voted in the affirmative are,

Messrs. Adams, Coates, Day of St. Joseph, English, Garver, Green, Hardin, James, Marsh, McCarty, Porter, Read, and Taber—12.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Davis, Dole, Hamrick, Harvey, Hendricks, Herod, Holloway, Houghton, Montgomery, Orth, Robinson, Simpson, Sleeth, Stewart, Walpole, and Waters—18.

No quorum voting.

On motion by Mr. Miller,

Leave of absence was granted to Mr. Coats for the remainder of the session, and,

On motion by Mr. Miller,

Leave of absence was granted to Mr. Graham for the remainder of the session.

On motion,

A call of the Senate was ordered,

And the Secretary having proceeded with the call, and a quorum appearing,

The further call was suspended.

And upon the question of concurring as proposed by Mr. McCarty,

The ayes and noes were demanded by Messrs. McCarty and Buckles,

And the ayes and noes were :

Those who voted in the affirmative are,

Messrs. Adams, Coats, Day of St. Joseph, English, Garver, Green,

Hardin, Huffstetter, James, McCarty, Miller, Morrison, Porter, Read, and Taber—16.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Davis, Dole, Hamrick, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Montgomery, Orth, Randall, Robinson, Simpson, Sleeth, Stewart, and Walpole,—21.

So the Senate refused so to concur.

When Mr. Walpole moved to concur in the said amendments of the House,

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cassatt, Conduit, Davis, Day, of St. Joseph, Dole, Hamrick, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, James, Miller, Montgomery, Morrison, Orth, Randall, Read, Robinson, Simpson, Sleeth, Taber, Walpole, and Waters—28.

Those who voted in the negative are,

Messrs. Coates, English, Green, and Huffstetter—4.

No quorum voting,

The question again recurring upon the motion to concur, and,

The ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cassatt, Conduit, Davis, Day of St. Joseph, Dole, Hamrick, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, James, Miller, Montgomery, Morrison, Orth, Randall, Read, Robinson, Simpson, Sleeth, Stewart, Taber, Walpole, and Waters—28.

Those who voted in the negative are,

Messrs. Coates, English, Green, Huffstetter, and McCarty—5.

No quorum voting,

A call of the Senate was ordered,

The Secretary proceeded with the call, and having finished the same,

On motion,

The absentees were sent for.

On motion,

The further call was suspended.

The question again recurring upon concurring in the said engrossed amendment of the House, and,

It was concurred in.

When Mr. English moved to reconsider the vote on the indefinite postponement of House bill No. 181,

And the ayes and noes being demanded by two Senators, they were ordered :

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Day of St. Joseph, English, Garver, Green, Hardin, Henry, Huffstetter, James, Miller, Morrison, Porter, Randall, Read, Robinson, Sleeth, Taber, and Waters—19.

Those who voted in the negative are,

Messrs. Beard, Cassatt, Conduit, Davis, Harvey, Hendricks, Herod, Holloway, Houghton, Marsh, Orth, Simpson, Stewart, and Walpole—14.

No quorum voting,

On motion,

Leave of absence was granted to Messrs. Adams and James for the remainder of the session.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bills of the Senate without amendment :

No. 128. An act to incorporate the Shelbyville Arm of the Shelbyville and Edinburgh Lateral Branch Railroad Company ;

No. 90. An act to increase the pay of the Auditor of Hamilton county ;

No. 103. An act to change the mode of doing county business in the county of Orange.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the

Senate, that the House have passed the following engrossed bills of the Senate without amendment:

No. 223. An act to incorporate the Indianapolis and Danville Railroad Company;

No. 240. An act to incorporate the Indiana Miners' company;

No. 241. An act to amend section 89 of article 7, of chapter 12 of the revised Statutes of 1843;

No. 216. An act to locate a State road in the counties of Jasper, White and Tippecanoe;

No. 243. An act to amend an act entitled "An act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors, so far as the same relates to the county of Wabash;

No. 245. A joint resolution in relation to the Indianapolis and Peru railroad;

No. 219. An act to amend the Statute providing for the taking a change of venue in criminal cases;

No. 232. An act to incorporate the Northern Indiana Plank Road Company;

No. 235. An act to incorporate the Ohio Insurance Company;

No. 236. An act to establish an additional place for holding elections in the township of Delaware, Hamilton county;

No. 234. An act to incorporate the town of Wabash;

No. 231. An act to incorporate the Michigan and Manchester Turnpike Company;

No. 230. An act to prevent the consolidation of indictments in certain cases, in Hamilton county;

No. 227. An act declaratory of the meaning of a certain act therein named;

No. 222. An act to amend the charter of the Jeffersonville association;

No. 258. An act to authorize the transfer of cases pending in the probate, to the circuit court;

No. 256. An act to locate a State road in the counties of Fountain and Tippecanoe;

No. 257. An act to amend an act entitled "An act incorporate the Madison and Napoleon Turnpike Company;"

No. 262. An act to improve the breed of horses in the county of Randolph;

No. 252. An act to amend an act entitled "An act to incorporate the Wayne Turnpike Company;"

No. 251. An act to amend an act entitled "An act to incorporate the Fairview Academy, in Rush county."

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House has concurred in the engrossed amendment of the Senate, to engrossed amendments of the House, to engrossed bill of the Senate:

No. 76. An act to define the jurisdiction of Justices of the Peace in the several counties therein named;

Without amendment.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the Speaker of the House has signed the following enrolled acts of the Senate:

No. 14, 48 and 158.

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate, to engrossed bill of the House,

No. 83. An act to prevent intemperance in Wayne, Greenboro', Spiceland and Harrison townships, in the county of Henry.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendments of the Senate to the following engrossed bills of the House, without amendment:

No. 12. An act to amend an act entitled "an act to incorporate the Madison and Brownstown Turnpike Company," which became a law February 11th, 1848;

No. 113. An act in relation to the real and personal estate of John Fischli, late of Jackson county, deceased;

No. 195. An act to provide for the location of a State road in Grant and Wabash counties;

No. 242. An act to change the time of holding Courts in the 8th Judicial Circuit, and to reduce said Circuit;

No. 14. An act to ascertain and establish the boundaries of certain roads in the counties of Warren and Montgomery;

No. 56. An act to prevent Treasurers and other officers from receiving constructive per centages;

No. 161. An act providing for the election of township assessors in the counties of Dearborn, Switzerland and Ohio;

No. 194. An act authorizing the election of an additional Justice of the Peace in Adams township, Madison county;

No. 210. An act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton;

No. 263. An act for the relief of the heirs of Alexander Smith, late of Adams county, deceased;

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the following enrolled act of the Senate:

No. 208, 160, 191, 47, 110, 101, 176, 144, 107;

Which I am directed by the House of Representatives to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate, without amendment:

No. 221. An act to incorporate the Richmond and Middleboro Turnpike Company;

No. 255. An act for the relief of Roswell Langdon, of Perry county;

No. 253. An act defining the duty of the Board of Commissioners of the county of Monroe;

No. 248. A joint resolution on the subject of Mary Griffith, an Indian woman, transferring lands;

No. 247. A joint resolution in relation to the improvement of the Kankakee and Iroquois rivers in the States of Indiana and Illinois;

No. 230. An act to incorporate the Wild Cat Bridge Company;

No. 215. An act to incorporate the Ohio, Indiana and Lake Michigan Rail Road Company;

No. 136. A joint resolution in relation to certain official documents connected with the conduct of the Second Indiana Regiment;

No. 279. An act to incorporate the Lagro, Marion and Jonesboro Plank Road Company;

No. 106. An act to change a certain State road therein named;

No. 268. An act to change the name of Emanuel Wise, to Emanuel Wise Stafford.

Also the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate, without amendment:

No. 228. An act to unite the Mount Carmel and New Albany Rail Road Company, and the Mt. Carmel and Alton Rail Road Company, by the name of the Alton, Mt. Carmel and New Albany Rail Road Company;

No. 60. An act to provide for taking the sense of the qualified voters of this State on the calling a Convention to alter, revise or amend the Constitution of this State;

No. 123. An act to incorporate the Indiana Fire and Marine Insurance Company.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate, without amendment:

No. 276. An act to amend an act entitled "an act to incorporate the town of Bloomington, in the county of Monroe," approved 13th January, 1843;

No. 271. A joint resolution to the soldiers of the late war with Great Britain;

No. 179. An act relative to the practice in the Probate Courts;

No. 277. An act for the relief of the heirs of Samuel Goldsberry, deceased;

No. 278. An act to incorporate the Waveland Academy, in Montgomery county;

No. 280. An act allowing grace on all bills of exchange.

No. 282. An act to incorporate the Grand and Subordinate Temples of Honor of the State of Indiana;

No. 284. An act to legalize certain roads in Jefferson county;

No. 283. An act to incorporate the Newbury Cotton Mill;

No. 285. An act fixing the time of holding the February term of the Hancock Probate Court;

No. 161. An act respecting Attorneys at Law.

Also the following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have concurred in the engrossed amendment of the Senate, to the engrossed amendment of the House, to engrossed bill of the Senate,

No. 24. An act repealing a certain act therein named ;
Without amendment.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House has receded from their engrossed amendment to the engrossed bill of the Senate,

No. 8. An act to incorporate the Richmond and Williamsburgh Turnpike Company.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House has concurred in the engrossed amendments of the Senate, to the following engrossed bills of the House:

No. 124. An act to incorporate the Covington Drawbridge Company.

No. 249. An act for the relief of John Smith, of Owen county;

No. 276. An act to provide for the election of Prosecuting Attorneys, in the 4th and 8th judicial circuit.

Without amendment.

Also,

The following message was received from the House of Representatives, by Mr. Dood, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House has passed the following engrossed bill thereof:

No. 379. An act to incorporate the Delphi and Burlington Plank Road Company;

In which the concurrence of the Senate, is respectfully requested.

And the said bill was read a first time; and,

On motion,

The rules were suspended and the bill read a second time; and,

On further motion,

The rules were further suspended and the bill read a third time and passed.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House has passed the following engrossed bill thereof:

No. 369. An act making specific appropriations for 1849.

In which the concurrence of the Senate, is respectfully requested.

And said bill was read a first time; and,

On motion,

The rules were suspended and the bill read a second time, when, Mr. Dole moved to strike out in the 33d section, "thirty-five," and insert "fifty."

When a division of the question was demanded and the question was first taken upon striking out, and it was so ordered.

The question was then taken first, upon inserting "fifty," and then upon inserting "forty-five," and each decided in the negative.

The blank was then filled by the word "forty."

Mr. Henry moved to amend by striking out the 37th section;

Which was adopted.

On motion,

The 38th section was struck out and the following inserted, in lieu thereof:

That R. A. Riley shall be, and he is hereby allowed twenty dollars, to be paid out of the State treasury, to be deducted out of the salary of the Prosecuting Attorney, for fifth judicial district, being for services rendered in the absence of the Prosecuting Attorney, in prosecuting the pleas of the State.

Mr. Orth moved to strike out the 39th section;

Which amendment was not adopted.

Mr. Adams moved to add the following section:

Sec.—That Archibald C. Bales and Samuel C. Daniels and Michael Lonagan, be allowed the sum of nine dollars each, for extra services, in cleaning up the Senate chamber and committee rooms, prior to the commencement of the session, and that Joseph Messick be allowed the sum of nine dollars, as assistant Door-keeper of the Senate.

Which amendment was adopted.

Mr. Simpson moved to add the following section:

Sec.—That David Quin be allowed the sum of thirty-one dollars and forty-seven cents for amount of claim in the White Water Canal, allowed by Noah Noble, Canal Commissioner, to be paid in the surrender of the certificate to the Auditor.

Which was adopted.

Mr. Robinson moved to add the following section:

That Samuel P. Frazier be and he is hereby allowed the sum of sixteen dollars for the rent of a room to Basil Brown, superintendent of the Central Canal, for the term of four months, which room was used by said Brown for the purpose of storing iron for the repairs of said canal.

Which amendment was adopted.

Mr. Orth offered the following amendment:

Add the following section:

Sec. —. That no law shall be so construed as to deprive the Secretary of State of his fees for any certificate or copy of any record or law, which may be demanded or required.

Which was adopted.

Mr. Davis moved the following amendment:

Add the following:

Sec. —. That John R. Stone be allowed the sum of fifty dollars as a compensation for his services as Visitor to the State Prison; *Provided*, he has not heretofore received the same.

Which was adopted.

Mr. Davis moved the following amendment:

Add the following:

Sec. —. That the sum of one hundred and twenty dollars be allowed to Lyman Leslie, Esq., for professional services and expenses in the McGinley case. *Provided*, That the said Leslie shall first deliver over to the prosecuting attorney of Floyd county the brief that has been made or prepared in said case.

When

Mr. Orth moved to amend the amendment by striking out the words "one hundred and twenty," and inserting in lieu thereof the word "fifty."

Which amendment to the amendment was adopted.

When

The amendment as amended was adopted.

Mr. Stewart moved the following amendment:

Add the following:

Sec. —. That Joseph I. Stretcher be and he is hereby allowed the sum of two hundred dollars, in addition to that already allowed, for services as commissioner appointed by the Governor, under a joint resolution relative to the removal of the remains of the late Tilghman A. Howard, approved January 26, 1847, under which appointment he proceeded to remove the remains of General Howard from the State of Texas to this State.

Which amendment Mr. Marsh moved to lay upon the table,

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Adams, Beard, Cassatt, Coates, Conduit, Dole, Graham, Hamrick, Hardin, Harvey, Hendricks, Henry, Herod, Holloway, Houghton, Huffstetter, Marsh, McCarty, Montgomery, Orth, Porter, Read, Robinson, Simpson, Sleeth, and Taber—26.

Those who voted in the negative are,

Messrs. Davis, Day of St. Joseph, English, Garver, Green, Miller, Morrison, Randall, Stewart, Walpole, and Waters—11.

So the amendment was laid upon the table.

Mr. Walpole moved the following amendment:

Add the following:

Sec. —. That the administrator of Hon. Goldsmith C. Gilbert be allowed the sum of fifty dollars for expenses incurred in conveying the body of said Gilbert who died whilst a member of the House of Representatives, in the vicinity of Indianapolis, and was by his friends conveyed to his late residence in Muncie Town.

Which was adopted.

Mr. Morrison moved the following amendment:

Add the following:

Sec. —. That the Auditor of State investigate the claim of Jacob Emshviller, Treasurer of Blackford county, for twenty dollars, money he alleges to have been improperly paid in settlement of revenue of 1843, and if the same is found to be equitable, that the sum be refunded to him.

Which amendment was not adopted.

Mr. Stewart moved the following amendment:

Add the following :

Sec. —. That E. Browning be allowed the sum of fifty dollars for boarding a part of the first regiment of Indiana volunteers, during the year 1846, before the regiment left for Mexico.

Which amendment was not adopted.

Mr. Montgomery moved to add the following section :

That Samuel Henderson, Esq., be allowed the sum of five dollars for qualifying witnesses before the committee on benevolent institutions, at the present session of the General Assembly.

Which amendment was adopted.

Mr. English moved to add the following sections :

Sec. —. That Morrison and Talbott be and they are hereby allowed the sum of one hundred and eight dollars and twenty cents, for sundries furnished for the use of the Senate.

Sec. —. That David Craighead be allowed one dollar and sixty cents for sundries furnished for the use of the Senate at its present session.

Sec. —. That Weaver and Williams be allowed the sum of five dollars for repairs done to desks, &c., for Senate.

Sec. —. That Kellogg & Davidson be allowed the sum of twelve dollars and four cents for sundries furnished for the use of the Senate.

Sec. —. That Vandegrift and Greer be allowed fifty-nine dollars and seventy-five cents for candles and sundries for use of General Assembly.

Sec. —. That Willis W. Wright & Co. be allowed eight dollars and thirty-one cents for articles furnished the General Assembly.

Sec. —. That William R. Strange be allowed sixty dollars for superintending State printing, and correcting proof sheets of laws, &c.

Sec. —. Charles G. Ballard be allowed fifty dollars as compensation for services rendered as visiter to State Prison, in the year 1847 ;

Which amendment was adopted.

Mr. Cassatt moved to add the following section :

Sec. —. That Hugh M. Stevenson of Wabash county, be allowed the sum of fifty dollars for pursuing and bringing to justice, in the State of Michigan, a horse thief and murderer ;

Which was not adopted.

Mr. Ellis moved to add the following section :

That for reading and correcting the proof, certifying, and having the laws of a general and public nature published and distributed through the State, for the years 1846, 1847, and 1848, the Secretary of State be allowed thirty dollars ;

Which amendment was adopted.

Mr. Stewart moved to add the following section :

Sec. —. That Thomas D. Eglesfield be, and he is hereby allowed the sum of twenty dollars for lumber furnished to the volunteers for tents during the year 1846 ;

Which was adopted.

Mr. Walpole moved to add the following section :

Sec. —. That Charles Clapper be allowed \$6 for services as woodman to the Senate for two days, at the commencement of the last session of the General Assembly, not being heretofore paid or allowed for the same ;

Which amendment was adopted.

Mr. Stewart moved to add the following section :

Sec. —. That John Lister be, and he is hereby allowed, the sum of twenty dollars, for keeping the horses employed in transporting the Cass county Volunteers, 1st Regiment of Indiana Volunteers, from Logansport to the place of rendezvous, in June, 1846 ;

When Mr. Hardin called for the previous question, and there was a second, and,

The main question being, shall the amendments be engrossed, And it was so ordered.

And,

On motion,

The rules were further suspended, the bill read a third time, and upon the passage of the bill,

The ayes and noes were demanded by two Senators :

Those who voted in the affirmative are,

Messrs. Adams, Buckles, Day, of Kosciusko, English, Garver, Herod, Houghton, McCarty, Montgomery, Morrison, Robinson, Simpson, Sleeth, Stewart, Waters—15.

Those who voted in the negative are,

Messrs. Cassatt, Davis, Ellis, Green, Hamrick, Hardin, Harvey, Hendricks, Henry, Holloway, Marsh, Miller, Orth, Porter, Randall, and Taber—16.

No quorum voting.

Mr. Montgomery offered the following resolution :

Whereas a joint resolution, entitled, "a joint resolution to enforce the contract between the State of Indiana and her Bondholders, No. 79, has been misplaced, or taken from the files of the Secretary, therefore,

Resolved, That the Secretary of the Senate be, and he is hereby authorized, and required, to furnish a true copy of said joint resolution, at the earliest period practicable, and place the same in the hands of the Secretary of State for enrollment.

Which was adopted.

Mr Hamrick made the following report :

MR. PRESIDENT :

The committee on enrolled bills, have examined enrolled bills of the Senate Nos. 144, 176, 101, 110, 47, 191, 160, 107, 201, 42, 74, 166, 601, 54, 228, 187, 82, 115, 192, 118, 18, 25, 48, 158, 14, 229, 39, 19, 257, 222, 241, 227, 223, 251, 231, 262, 240, 123, 216, 239, 235, 106, 258, 265, 268, 136, 247, 255, 221, 243, 234, 245, 219, 253, 276, 103, 236, 248, with the engrossed thereof, and find them correctly enrolled.

And,

On motion,
The Senate adjourned.

TUESDAY MORNING, JANUARY 16, 1849.

The Senate met.

On motion,

The Senate dispensed with the reading of the journal of the previous day.

The Senate then resumed the consideration of bills contained in a message heretofore taken up:

No. 297. A bill regulating the mileage of members of the General Assembly, and others ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and ordered to a third reading.

No. 300. An act to legalize certain acts of the Board of Commissioners of Lagrange county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 301. A bill to amend article 2d of chapter 42 of the Revised Statutes ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 302. A bill for the relief of Elisha Driskill ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 303. A bill to amend an act, entitled "An act for the relief of the securities of John Plasters, school commissioner of Miami county," approved Feb. 2, 1843 ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 304. An act authorizing a State road running from Jonesborough, in Grant county, to Lafayette, in Tippecanoe county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 305. A bill authorizing the leasing of the finished portion of the Central Canal, and for other purposes ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

Referred to a select committee, consisting of Messrs. Stewart, Orth, and Milligan.

No. 351. A bill to amend the eighth article of the twelfth chapter of the Revised Statutes ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

Referred to a select committee, consisting of Messrs. Orth, Harvey, and Randall.

No. 352. A bill to amend an act to incorporate the Richmond and Boston Turnpike Company ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 353. A bill declaring Market street, as originally laid off on the south side of out-lots Nos. 59, 60, and 61, of the town of Indianapolis, a public highway ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and

Referred to a select committee, consisting of Messrs. Orth, Stewart, and English.

No. 354. A bill to incorporate the town of Cloverdale ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 355. A bill to locate a State road in Allen county ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

No. 357. A bill to incorporate the Frankfort Railroad Company ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 358. A bill to vacate a certain road in the county of Switzerland ;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, and the bill read a third time, and passed.

No. 359. A bill to authorize the voters of Switzerland county to

determine the locating of the county seat of said county, and to fix the same ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 360. A bill setting a part two acres of ground in Marshall county for a burying ground ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 361. A bill to repeal an act therein named ;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On motion by Mr. Millikin,

Was laid upon the table.

No. 362. A bill to amend the act approved 15th January, 1844, in relation to the publication of delinquent lists, so far as relates to the counties of Stuben and DeKalb ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

No. 363. A bill vacating the town of Mount Pleasant in the county of Madison ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 364. A bill for the relief of John Condra and others ;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On motion,

The rules were further suspended, the bill read a third time and passed.

No. 365. A bill to amend the act entitled " An act to authorize the people of the several townships in the several counties to prohibit the retailing of spirituous liquors, approved January 28, 1847 ;

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

Laid on the table ;

No. 367. A bill to amend an act empowering Rachael Blair administratrix of the estate of Enos Blair, deceased, former collector of Monroe county, to collect arrears of taxes, approved January 19, 1846 ;

Was read a first time, and,

On motion,

The rules were suspended and the bill read a second time ; and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

No. 368. A bill in reference to the appointment of Probate judge of Wayne county ;

Was read a first time ; and,

On motion,

The rules were suspended and the bill read a second time ; and,

On further motion,

The rules were further suspended, and the bill read a third time and passed.

Mr. Marsh asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred House bill No. 23, have had that subject under consideration and have directed me to report it back to the Senate and recommend its passage ;

And the bill was read a third time and passed.

Mr. Walpole asked and obtained leave to report back bill of the House, entitled,

No. 254. A bill to prohibit the sale of spirituous liquors in Adams and Fall Creek townships in Madison county, by a less quantity than thirty gallons ;

With the following amendments :

Add the following section :

Sec. . That it shall be unlawful for any person to vend, sell, barter, or exchange spirituous liquors in Anderson township in said county, except for medical, or mechanical and chemical purposes. Any person who shall violate the provisions of this act shall be subject to indictment therefor, and on conviction thereof, shall be fined in the sum of five dollars ;

Which amendment was adopted.

Add also the following preamble :

WHEREAS, More than five hundred citizens of Fall Creek and Adams townships in Madison county, have by their petition prayed the General Assembly to enact a law making it unlawful to vend, sell, barter, or exchange spirituous liquors in said townships, in less quantity than thirty gallons. AND WHEREAS, William Sparks, B. Nowland, and 49 other citizens of Anderson township, in said county, have in like manner prayed that the sale of said article shall be forever prohibited in the township last aforesaid, in any quantity whatever, and there being no remonstrance to either of said petitions, Therefore,

Which amendment was adopted, and the amendments considered as engrossed ; and,

The bill read a third time and passed.

Mr. Day of St. Joseph asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred House bill No. 260, on the subject of attaching additional territory to the county of Laporte, have had the same under consideration and have directed me to report the same back with the following amendment, and when adopted respectfully recommend its passage.

Amendment referred to in the foregoing report :

1st Amendment.

Strike out of the 1st section the following :

"Be and the same is hereby attached to the county of Laporte, and shall form a part of said county."

And in lieu thereof insert the following :

"May be attached to the county of Laporte upon the conditions following."

Strike out section 4, and add the following :

SECTION — The county commissioners of said county of St. Joseph shall and they are hereby authorized to decide at their regular June term 1849, whether said territory shall be attached as aforesaid, and if said commissioners decide in favor of the change aforesaid, then and in that case the aforesaid change shall take place, and be in full force from and after said decision, which decision shall be recorded on the record of said county commissioners aforesaid, but in case said board of county commissioners do not decide in favor of attaching the territory as aforesaid to the said county of Laporte, then and in that case the said territory, shall be and remain, as it now is, a part and parcel of said county of St. Joseph ;

Which amendments were adopted,

The report concurred in,

The amendments considered as engrossed, and

The bill read a third time, and passed.

Mr. Day asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred House bill, No. 215, have had the same under consideration, and directed me to report it back to the Senate, and recommend it to be laid on the table ;

Which report was concurred in, and the bill laid upon the table.

Mr. Henry asked and obtained leave to make the following report from the committee on the judiciary :

MR. PRESIDENT :

The committee on the judiciary to whom was referred the petition of S. Chamberlain and others relative to physicians, have had the same under consideration and directed me to refer the same back to the Senate, that it is inexpedient to legislate on the subject of said petition ;

Which report was concurred in, and the petition laid upon the table.

The following message was received from the House of Representatives by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House refuse to concur in the engrossed amendments of the Senate to engrossed bill of the House ;

No. 174. An act defining the boundaries of the county of Blackford ;

Whereupon Mr. Milligan moved that the Senate recede from its amendment,

And the ayes and noes being demanded by two Senators they were ordered.

Those who voted in the affirmative are,

Messrs. Davis, Day of St. Joseph, Green, Hamrick, Harvey, Hendricks, Houghton, Malott, McCarty, Milligan, Miller, Montgomery, Morrison, Orth, Randall, Read, Simpson, and Taber—18.

Those who voted in the negative are,

Messrs. Hardin, Herod, Holloway, Porter, Robinson, Sleeth, and Stewart—7.

No quorum voting, when

On motion,

The bill and amendments were laid upon the table.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof :

Vo. 322. An act in relation to the powers and duties of the trustees of congressional townships in Daviess county ;

In which the concurrence of the Senate is respectfully requested.

And bill aforesaid, was read a first time, and

On motion,

The rules were suspended, the bill read a second time, and

On further motion,

The rules were further suspended, the bill read a third time, and passed.

Mr. Hamrick, from the committee on enrolled bills, made the following report :

MR. PRESIDENT :

The committee on enrolled bills have examined and compared enrolled bills of the Senate, Nos. 277, 161, 90, 271, 244, 178, 128, 148, 284, 259, 153, 285, 50, 283, 179, 256, 76, 272, 24—with engrossed thereof, and find them correctly enrolled.

Mr. Hamrick, from the committee on enrolled bills, made the following report :

MR. PRESIDENT :

The committee on enrolled bills have this day presented to the Governor for his approval and signature, bills of the Senate Nos. 136, 268, 265, 258, 219, 103, 253, 276, 236, 221, 245, 255, 247, 243, 234, 179, 283, 256, 76 ; also House bills Nos. 373, 336, 14, 56, 328, 194, 210, 327, 269.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Sen-
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ate, that the House have passed the following engrossed bill thereof:

No. 207. An act to preserve the estate of Leon Bowman, deceased.

In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

Mr. Green asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to whom was referred the petition of Thos. J. Plummer, and many other citizens of the city of Rising Sun, remonstrating against the passage of any law amendatory of the Rising Sun city charter, have had the same under consideration, and have directed me to make the following report :

The Rising Sun city charter includes within the corporation limits of said city, a large amount of farming lands, and makes those farming lands subject to taxation for corporation purposes.

During the present session, Col. P. James and several citizens of Rising Sun, memorialized the Legislature to pass a law so amending the Rising Sun city charter as to exempt from taxation for corporation purposes, the farming lands situated within the limits of said city. In accordance with said memorial, a law was passed the present session, exempting from taxation for corporation purposes, the farming lands within said city limits, and situated out side of the streets and alleys of said city proper. The operation of this law, the petitioners desire, should be suspended.

Your committee are of the opinion that the principle of giving to incorporated towns or cities the right to tax farming lands outside the streets and alleys of such town or city, would lead to many difficulties.

Therefore, your committee are of the opinion that it would be inexpedient to grant the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

Which report was concurred in, and the committee discharged.

Mr. Miller asked and obtained leave to present the following petition of sundry females of Gibson county, relative to the sale of spirituous liquors ;

Which,

On motion by Mr. Miller,

Was laid on the table.

Also, by Mr. Miller,

The petition of Hugh M. Patten, and other citizens, of Gibson county, relative to the sale of spirituous liquors ;

Which,

On motion by Mr. Miller,

Was laid on the table.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bill thereof :

No. 376. An act relative to the probate court of Morgan county ; In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill of the Senate :

No. 267. An act relative to the fees of the officers of Henry county ;

With sundry amendments thereto, in which the concurrence of the Senate is respectfully requested.

And,

On motion,

The bill and amendments were laid upon the table.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill of the Senate :

No. 131. An act to amend the charter of the Indianapolis and Bellefontaine Railroad Company ;

With sundry amendments, in which the concurrence of the Senate is respectfully requested.

On motion by Mr. Buckles,
The Senate concurred in the engrossed amendment of the House to engrossed bill of the Senate in the foregoing message contained.
The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House insist upon their engrossed amendment to engrossed joint resolution of the Senate :

No. 26. A joint resolution on the independence of Liberia ;

On motion,
The Senate receded from their refusal to concur in said amendment, and concurred in the same.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 377. An act to amend article 2 of chapter 45 of the Revised Statutes of 1843, relative to the action of ejectment and the rights of occupying claimants ;

In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and passed to a second reading.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof :

No. 346. An act to amend section 101, of chapter 38, of the Revised Statutes of 143 :

In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

Mr. Walpole asked and obtained leave to report back to the Senate bill of the House, entitled,

No. 8. A bill to legalize a certain sale made by the Auditor of State ;

And,

On motion,

The bill was laid upon the table.

Mr. Holloway asked and obtained leave to make the following report from the committee on education :

MR. PRESIDENT :

The committee on education to which was referred the petition of citizens of Boston, Wayne county, asking the establishment of a School District in said town, have had the same under consideration, and have directed me to report the same back to the Senate, as inexpedient to legislate on the subject ;

Which report was concurred in, and,

The petition laid upon the table.

On leave granted,

Mr. Walpole reported back to the Senate, bill of the House, entitled,

No. 142. A bill to pay the laborers employed on the Northern Division of the Central Canal ;

With a recommendation, that inasmuch as a bill for the same object has passed both branches of the General Assembly during the present session, that the bill be indefinitely postponed.

Which report was concurred in, and the bill so postponed.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following engrossed bills thereof :

No. 381. An act to authorize the Auditor and School Commissioner of Morgan county to make a deed in a certain case therein named ;

No. 382. An act prescribing the number of pounds of Cloverseed to be considered a bushel in this State ;

In which the concurrence of the Senate is respectfully requested.

And said bill, No. 381,

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and,
 On further motion,
 The rules were further suspended, and the bill read a third time,
 and passed.
 And bill contained, in said message, entitled No. 382,
 Was read a first time, and,
 On motion,
 The rules were suspended, and the bill read a second time, and,
 On further motion,
 The rules were further suspended, and the bill read a third time,
 and passed.
 On leave granted,
 Mr. Holloway made the following report from a select committee:

MR. PRESIDENT :

The select committee to which was referred petitions asking the repeal of the Black Laws of this State, have instructed me to report the same back to the Senate, and recommend that they be laid on the table ;

Which report was concurred in, and the petitions laid upon the table.

Mr. Malott asked and obtained leave, to withdraw certain petitions of sundry citizens of Lawrence county, in relation to the road laws in said county.

Mr. Orth asked and obtained leave to report back to the Senate, bill of the House, entitled,

No. 11. A bill to take the sense of the qualified voters of the State of Indiana, on the calling of a convention to alter, revise, or amend the Constitution of the State ;

With the recommendation that the bill be laid upon the table.

Which report was concurred in and the bill laid upon the table.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House has passed the following engrossed bill of the Senate :

No. 98. An act for the relief of the Trustees of the Methodist Episcopal Church, in the town of Rockford ;

With sundry amendments, in which the concurrence of the Senate is respectfully requested.

And,

On motion by Mr. English,

The Senate concurred in the said engrossed amendments of the House, to the said bill.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House has concurred in the engrossed amendments of the Senate, to engrossed bill of the House,

No. 167. An act to increase and extend the benefits of common schools ;

Without amendment.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House has passed the following engrossed bills of the Senate :

No. 269. An act relative to the probate Judge of Laporte county.

No. 270. An act to amend an act, entitled "an act to incorporate the town of Patriot, in Switzerland county, and to declare certain misprints in said act.

No. 272. An act for the relief of Robert B. Duncan, of Marion county.

No. 287. An act authorizing the trustees of school district, No. 13, in township 36, N. of range three west, in Laporte county, to levy a tax to build a school house.

No. 288. An act in relation to school houses in Dearborn county.

All without amendment.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House have concurred in the engrossed amendments of the Senate, to engrossed bill of the House,

No. 159. An act to extend the Lawrenceburgh and Rushville Rail Road to the coal region, near Point Commerce, in Greene county, via Martinsville, Gosport, and Spencer.

Without amendment.

Also,

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives, to inform the Senate, that the House has concurred in the engrossed amendments of the Senate, to engrossed bills of the House,

No. 29. An act to extend the duties of county surveyors.

No. 147. An act to amend an act, entitled "an act, to incorporate the Indiana Canal Company." Approved, Dec. 6, 1848.

Without amendment.

The following message was received from His Excellency, the Governor, by Mr. Carr, the executive messenger :

MR. PRESIDENT :

I am directed by the Governor, to inform the Senate, that on the 13th inst., he approved and signed bills,

No. 184. An act to amend an act, entitled "an act for the relief of Victor A. Pepin, of Floyd county. Approved, Dec. 30, 1846.

No. 185. An act for the relief of Rachael Loyd, of Floyd county.

No. 147. An act to change the names of the Towns of Columbia and Smithland, and other purposes.

No. 139. An act for the relief of William C. A. Bain, of Scott county.

No. 151. An act amendatory to an act, incorporating the junction Rail Road Company.

No. 62. An act to legalize the location of a certain State Road, therein named.

No. 83. An act authorizing the re-appraisement of certain school lands in Clinton county ;

No. 188. An act establishing the salaries of the auditor and treasurer of Jay county, and the recorder of Stuben county ;

No. 55. An act to amend "An act to incorporate the Fairfield Hydraulic Company ;

No. 64. An act in relation to the highway tax of the county of Lagrange ;

No. 146. An act to amend an act entitled "An act to incorporate the town of Mooresville in Morgan county," approved Feb. 12, 1841, so as to require venders of spirituous liquors to obtain a license of the board of trustees ;

No. 193. An act to amend an act entitled "An act to incorpo-

rate the city of Richmond, Wayne county, Indiana," approved Feb. 24, 1840.

No. 200. An act to amend an act incorporating the Logansport and Rochester Michigan Road Company, approved Jan. 16, 1846 ;

No. 16. An act to amend an act to incorporate the Harrison, New Trenton, Rochester, and Brookville Turnpike Company ;

No. 170. An act to amend an act in relation to the New Albany and Vincennes road ;

No. 196. An act to authorize the county commissioners of LaPorte county to prohibit hogs from running at large ;

No. 150. An act for the relief of Robert Kenedy and Andrew Hartman ;

No. 116. An act to incorporate the Winchester and Ft. Wayne Railroad Company ;

No. 205. An act to incorporate the Madison and Cross Plains Turnpike Company ;

No. 186. An act supplementary to an act entitled "An act to incorporate the Grand and Subordinate Divisions of the Sons of Temperance of the State of Indiana," approved Jan. 21, 1847 ;

No. 199. An act to incorporate the Williamsburgh and Economy Turnpike Company ;

No. 30. An act fixing the time of holding the several courts in the eleventh judicial circuit ;

No. 207. An act relative to railroads ;

No. 142. An act amendatory of an act entitled "An act to incorporate the Lafayette and Danville Railroad Company ;

No. 155. An act to change the name of John F. Brown to that of John Floyd ;

No. 190. An act to extend the time of holding probate court in the county of Monroe ;

No. 129. An act to incorporate the Lawrenceburgh and Aurora Bridge Company ;

No. 208. An act for the relief of certain laborers on the Central canal, for work done in 1847-'48 ;

All of which originated in the Senate.

Jan. 15, 1849.

Also, the following message was received from the House of Representatives, by Mr. Dodd, their Clerk.

MR. PRESIDENT :

The Speaker of the House of Representative has signed the following enrolled acts of the Senate :

No. 99. An act to amend the laws relating to the execution of deeds by order of the probate court ;

No. 118. An act for the benefit of the Ohio and Indianapolis Railroad Company, and changing the name and style of said company ;

No. 201. An act further to amend an act entitled "An act to incorporate the town of Columbus in Bartholomew county," approved February 6, 1839;

No. 42. An act defining the duties of county treasurers in the several counties therein named;

No. 74. An act to repeal section 3, chapter 28, of the Revised Statutes of 1843, relative to sales by Indians, relative to contracts by Indians;

No. 166. An act to amend an act entitled "An act to incorporate the Madison and Napoleon Turnpike Company;"

No. 60. An act to provide for taking the sense of the qualified voters of the State, on the calling of a convention to alter, amend, and revise the constitution of the State;

No. 54. An act to amend an act entitled "An act to incorporate the Peru and Indianapolis Railroad Company," approved January 19, 1846;

No. 228. An act to unite the Mount Carmel and New Albany Railroad Company, and the Mount Carmel and Alton Railroad Company, to be called the Mount Carmel and New Albany Railroad Company;

No. 187. An act to record the survey of a State road in Ripley county;

No. 82. An act to incorporate the Richmond Bridge and Turnpike Company;

No. 115. An act to incorporate the Fort Wayne and Southren Railroad Company;

No. 192. An act to amend an act entitled "An act to incorporate the Mooresville Branch Railroad Company," approved February 15, 1848;

No. 25. An act to incorporate the Cross Plains and Laughery Turnpike Company;

No. 18. An act to incorporate the Laporte Iron Manufacturing Company;

No. 229. An act to amend an act to incorporate the Ohio and Mississippi Railroad Company;

No. 19. An act to amend an act entitled "An act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto into one act, and to amend the same," approved February 14, 1848;

No. 39. An act to amend and extend section sixty (60) chapter thirty-eight (38) of the Revised Statutes of 1843, so far as Jefferson county is concerned;

No. 257. An act to amend an act entitled "An act to incorporate the Madison and Napoleon Turnpike Company;"

No. 222. An act to amend the charter of the Jeffersonville Association;

No. 241. An act to amend section 89 of article seven of chapter twelve of the Revised Statutes of 1843;

No. 230. An act to prevent the consolidation of indictments in certain cases in Hamilton county;

No. 227. An act declaratory of the meaning of a certain act therein named;

No. 223. An act incorporating the Indianapolis and Danville Railroad Company;

No. 239. An act to incorporate the Wild Cat Bridge Company;

No. 218. An act to locate a State road in the counties of Jasper, White and Tippecanoe;

No. 235. An act to incorporate the the Ohio Insurance Company;

No. 106. An act to change a certain State road therein named;

No. 240. An act to incorporate the Indiana Mining Company;

No. 123. An act to incorporate the Indiana Fire Marine Insurance Company;

No. 262. An act to improve the breed of Horses in the county of Randolph;

No. 251. An act to amend an act entitled "An act to incorporate the Fairview Academy in Rush county;"

No. 231. An act to incorporate the Milan and Manchester Turnpike Company;

No. 114. An act authorizing a compensation to be made to the adjutant general for organizing the 4th and 5th regiments Indiana volunteers;

No. 276. An act to amend an act entitled "An act to incorporate the town of Bloomington in the county of Monroe," approved January 13, 1845;

No. 253. An act defining the duty of the board of commissioners of the county of Monroe;

No. 103. An act changing the mode of doing county business in the county of Orange;

No. 258. An act to authorize the transfer of cases pending in the probate to the circuit court, so far as relates to Putnam county;

No. 265. An act for the relief of the heirs of Seth Bacon, deceased;

No. 268. An act change the name of Emanuel Wise to Emanuel Wise Stafford;

No. 136. A joint resolution in relation to certain official documents connected with the conduct of the Second Indiana Regiment;

No. 247. A joint resolution relative to the improvement of the navigation of the Kankakee and Iroquois Rivers, in the States of Indiana and Illinois;

No. 255. An act for the relief Rosewell Langdon, of Perry county;

No. 245. A joint resolution in relation to the Indianapolis and Peru Railroad Company;

No. 243. An act to amend an act, entitled, "An act to authorize the people of the several townships of the several counties to

prohibit the retailing of spirituous liquors," approved Jan. 28, 1847, so far as relates to the county of Wabash;

No. 234. An act to incorporate the town of Wabash;

No. 219. An act to amend the Statutes providing for the taking a change of venue in criminal cases;

No. 221. An act to incorporate the Richmond and Middleborough Turnpike Company;

No. 236. An act to establish an additional place for holding elections in Delaware township, in the county of Hamilton;

No. 373. An act to regulate clerk's fees in the probate court of Park county;

No. 336. An act to amend the act, entitled "An act to incorporate the Madison and Brownstown Turnpike Company";

No. 56. An act to prevent Treasurers and other officers in the counties of Steuben, De Kalb, and Noble from receiving constructive per centage;

No. 14. An act to ascertain and establish the boundaries of certain roads in the counties of Wayne and Montgomery;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message was received from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the following enrolled acts of the House:

No. 223. An act relative to roads in Marshall, Fulton, and Clarke counties;

No. 235. An act defining the mode of appointing Trustees of the County Library of Sullivan county;

No. 314. An act to amend the act, entitled "An act to incorporate the Madison Cemetery," approved Jan. 19, 1846;

No. 315. An act in relation to road taxes in Adams county;

No. 166. An act to locate a State road from Wabash, in Wabash county, *via* Bluffton, in Wells county, to Fort Recovery, in Ohio;

No. 228. An act defining the duty of the Board of Commissioners of the county of Monroe;

No. 320. An act to legalize the sale of delinquent lands and lots in the county of Crawford;

No. 277. An act relating to dockets of justices of the peace in Pleasant Run township, in Lawrence county;

No. 216. An act to incorporate the Washington Turnpike Company in Wayne county;

No. 231. An act to amend an act to provide for the continuance of the construction of all or any part of the public works of this State by private companies, and for abolishing the board of inter-

nal improvements and the office of fund commissioners and chief engineer, approved Jan. 28, 1842;

No. 205. An act for the relief of Bowen B. McFarlan Cephas and Henry McFarland, late of the U. S. Army in Mexico;

No. 214. An act to re-survey and re-locate so much of the Indianapolis and Fort Wayne State Road as lies within the counties of Grant, Wells, and Huntington;

No. 227. An act to incorporate the Greensburg and Brookville Turnpike Company;

No. 306. An act to legalize certain conveyances therein named;

No. 257. An act in relation to roads and bridges in Bartholomew county;

No. 218. An act authorizing supervisors in Wells county levying an additional road tax when necessary;

No. 226. An act to exempt the property of invalids from taxation;

No. 211. An act to change the time of holding circuit courts in the counties of Jennings and Bartholomew;

No. 221. An act to change the name of Ciceronian Society of the Franklin College to the name of Alpha Pi;

No. 317. An act to change the name of the Cannelton Steam Mill and Manufacturing Company, and for other purposes;

No. 219. An act to repeal an act, entitled "An act to repeal an act entitled an act defining the duties of county Treasurers, passed Jan. 13, 1845," approved Feb. 14, 1848;

No. 317. An act to legalize certain acts of the auditor of Marshall county;

No. 259. An act to change the name of the town of Huntsville, in the county of Randolph, to that of Trenton;

No. 222. An act to increase the salary of the probate judge of Wayne county;

No. 72. An act to incorporate the Madison Hydraulic and Manufacturing Company;

No. 250. An act to incorporate the Elkhart and Michigan Railroad Company;

No. 264. An act to incorporate the Rushville Female Institute;

No. 321. An act to regulate the mode of doing county business in the county of Putnam;

No. 199. A joint resolution in relation to State investments;

No. 196. An act amendatory of the act incorporating the town of Connersville;

No. 224. An act to incorporate the Delphi and Frankfort Plank Road Company;

No. 106. An act to incorporate the Moscow and Blooming Grove Turnpike Company;

No. 186. An act in relation to official misconduct of county commissioners;

No. 132. An act regulating fees of justices of the peace, mayors, and constables, and for other purposes;

No. 97. An act to amend section 336 of chapter 40 of the Revised Statutes of 1843;

No. 248. An act to repeal an act, entitled "An act reducing the fees for recording deeds in Delaware county;"

No. 206. An act defining the duties of Congressional Township Trustees in Daviess county;

No. 33. An act defining the duties of administrators, *de bonis non*, in certain cases;

No. 83. An act to prevent intemperance in Wayne, Greensboro, Spiceland, and Harrison townships, in the county of Henry;

No. 22. A joint resolution in relation to the Second and Third Regiments of Indiana Volunteers;

No. 226. An act to amend the 13th article of the 40th chapter of the Revised Statutes of 1843;

No. 252. An act to amend an act, entitled "An act to incorporate the Wayne County Turnpike Company," approved Dec. 5th, 1848;

No. 168. An act for the relief of John T. Carter;

No. 242. An act to change the time of holding courts in the 8th judicial circuit;

No. 103. An act to amend the Statutes regulating the granting of divorces;

No. 324. An act to establish a State road in the counties of Rush and Henry;

No. 160. An act to change a part of the Indianapolis and Pendleton State road;

No. 242. An act to incorporate the Peru and Rochester Turnpike Company;

No. 271. An act to incorporate the town of Greencastle, in the county of Putnam;

No. 269. An act to incorporate the Montezuma Canal Lock Company;

No. 338. An act to establish a State road from Bloomington to Point Commerce;

No. 327. An act in relation to paupers in the county of Dearborn.

No. 210. An act to compel speculators to pay a road tax equal to that paid by actual settlers, and for other purposes, in the county of Tipton.

No. 194. An act authorizing the election of additional Justices of the Peace in the township of Adams in Madison county, Indiana. Also authorizing the election of an additional Justice of the Peace in Jackson township Hancock county, may on the first Monday of April next, elect an additional Justice of the Peace for said township, who shall hold his office in the town of Port Laurel in said township, and it may be lawful for the qualified voters of Jones township in the county last aforesaid, to elect on the first Monday of April an additional Justice of the Peace for said township, who shall hold his office in the town of Philadelphia, in said township.

Which I am directed to bring to the Senate for the signature of the President thereof.

Mr. Walpole asked and obtained leave to report back to the Senate, bill of the House, entitled,

No. 267. A bill to incorporate the town of Anderson in Madison county;

With the following amendments:

Strike out the bill and insert the following:

AN ACT to amend an act to incorporate the town of Greenfield, Hancock County.

Be it enacted by the General Assembly of the State of Indiana, That so much of Hancock county as is contained within the following boundaries, to-wit: Commencing at the north east corner of the west half of the south west quarter of section number thirty-three, in township sixteen, range seven east; thence due south, to the south east quarter of the west half of the north west quarter of section four, township number fifteen, range seven east; thence west from said corner to the south west corner of the east half of the north west quarter of section number five, township (number 15) fifteen, range seven; thence in a strait line to the north west corner of the east half of the south west quarter of section number thirty-two, township number sixteen, range seven; thence in a straight line to the north east corner of the west half of the south west quarter of section thirty-three, in township sixteen, range seven east.

1st. Any person who shall unlawfully in a rude, insolent, and angry manner, touch, strike, beat, or wound another, shall forfeit and pay the sum of five dollars.

2nd. If two or more persons shall fight by an agreement, each shall forfeit and pay the sum of five dollars.

3d. If any person shall be found quarelling, making a great noise, or in any wise disturbing the peace of the citizens of said corporation or any citizen therein, shall forfeit and pay five dollars.

4th. If any person shall lead, ride, or drive any animal or animals over or across any side-way, or walk in said town other than at the regular crossing place, or to pass over the same into or on his own premises, shall forfeit and pay five dollars.

5th. Any person who shall sell, or offer to sell, any unwholesome provisions within the corporate limits of said town, and know the same to be unwholesome, shall forfeit and pay the sum of ten dollars.

6th. If any person shall challenge any other to fight, shall forfeit and pay five dollars.

7th. If any owner of an animal that shall have died within the corporate limits of said town, shall, after knowing the same to be dead, suffer the same to remain within the corporate limits, after the expiration of twelve hours after its death, shall forfeit and pay the sum of ten dollars.

8th. Any person suffering water to run from his well or pump, into any street or alley of said town, so as the same produces mud or other obstructions to accumulate in said street or alley, shall forfeit and pay five dollars for each and every day he so permits, cause, or suffers the same so to run upon, or into, any street or alley.

9th. Any person who shall ride or drive any animal on the streets or alleys of said town a faster or more rapid gait than a usual pace or trot, shall forfeit and pay five dollars.

10th. Any person who shall suffer any obstruction to remain in front of the property in his possession, so as to obstruct the passage of persons or teams, shall forfeit and pay five dollars for each day he so suffers the same to remain.

11th. Any person who shall obstruct any street or alley in said town, so as to make it convenient for persons or teams to pass, shall forfeit and pay five dollars.

12th. Any person who shall in any wise injure the fence that may be around the grave yards within the corporation, or shall injure any railing, stone, or other fixture in and about any grave in said yard, shall forfeit and pay threefold the value of the injury done.

13th. Any person subject to pay a poll or other tax for corporation purposes, being called upon by the Assessor for the town, fails to give a true account of his property, subject to taxation, as aforesaid, shall forfeit and pay ten dollars.

14th. For the exhibition of any menagerie or circus, within the corporation, the person or persons so exhibiting said circus or menagerie, shall pay to the Treasurer of said town, for the use of said town, the sum of seven dollars and fifty cents, for each day of said exhibition, and the person shall produce the certificate of the Treasurer of said town that said license has been granted. And all the above forfeitures shall be recovered, by an action of debt in the name of the President and Trustees of said town. And it may be the duty of the Marshal of said town to arrest any and every person he may find violating any of the acts of the Legislature conferring power on said President and Trustees, or any ordinance by them made, in pursuance to the acts of incorporation.

15th. All the in and out lots, and other land within the town limits, as declared in the first section of this act, there shall be, for the purpose of improvement of the side walks, streets, alleys, and roads, within said town, a road tax of 5 per centum on the hundred dollars of valuation of said town lots and land, within the limits aforesaid, and the present value now of the same, as appears upon the books of the county Auditor and Treasurer of Hancock county, shall be deemed and taken as the assessment of the valuation thereof, and it shall be the duty of the Treasurer of said county, on collecting the same, to pay over to the order of the President and Trustees of said town, all such road tax as may be by him collected, and the same shall be in full of all road taxes on said town lots and

land, and the same shall be expended under the direction of said President and Directors, as above provided.

Which amendments were adopted;

On motion,

The amendments were considered as engrossed,

The bill read a third time and passed.

When Mr. Walpole moved to amend the title by adding the following :

"And to amend an act to incorporate the town of Greenfield, in the county of Hancock."

On leave granted,

Mr. English offered the following resolution :

Resolved unanimously, That the thanks of the Senate are due, and they are hereby tendered to the Hon. James G. Read, for the able and impartial discharge of his duties as President pro tem. during the present session of the General Assembly."

Which resolution was unanimously adopted.

On leave granted,

Mr. English offered the following resolution :

Resolved unanimously, That the thanks of the Senate are due, and the same are hereby tendered, to the Principal and Assistant Secretaries, and to the Principal and Assistants Doorkeepers of the Senate, for the faithful and impartial discharge of their respective duties, during the present session of the General Assembly.

Which resolution was unanimously adopted.

The following message was received from the Governor by Mr. Carr, the Executive Messenger.

MR. PRESIDENT :

I am directed by the Governor to inform the Senate, that he has approved and signed the following bills :

No. 283. An act to incorporate the Newburgh Cotton Mill.

No. 179. An act relative to the practice in Probate Courts.

No. 221. An act to incorporate the Richmond and Middleborough Turnpike Company.

No. 236. An act to establish an additional place for holding elections in Delaware township, in the county of Hamilton.

No. 276. An act to amend an act, entitled, "an act to incorporate the town of Bloomington, in the county of Monroe, approved January 13th, 1845.

No. 253. An act defining the duty of the Board of Commissioners in the county of Monroe.

No. 219. An act to amend the statute, providing for the taking a change of venue in criminal cases.

No. 258. An act to authorize the transfer of cases pending in the Probate to the Circuit Court, so far as relates to Putnam county.

No. 265. An act for the relief of the heirs of Seth Bacon, deceased.

No. 136. A joint resolution in relation to certain official documents, connected with the conduct of the Second Indiana Regiment.

No. 243. An act to amend an act, entitled, "an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors, approved Jan. 28, 1847," so far as relates to the county of Wabash.

No. 247. A joint resolution relative to the improvement of the navigation of the Kankakee and Iriquois rivers, in the States of Indiana and Illinois.

No. 103. An act changing the mode of doing county business in the county of Orange.

No. 76. An act defining the jurisdiction of Justices of the Peace in the several counties therein name.

No. 256. An act to locate a State road in the counties of Fountain and Tippecanoe.

No. 270. An act to amend an act, entitled, "an act to incorporate the town of Patriot, in Switzerland county, Indiana, and to declare certain misprints therein, approved February 16, 1848.

No. 284. An act to legalize certain roads in Jefferson county.

No. 271. A joint resolution in relation to soldiers of the war with Great Britain.

No. 153. An act regulating the jurisdiction of Justices of the Peace, in Jefferson, Rush, Union and Jennings counties.

No. 259. An act to increae the pay of the Probate Judges of certain counties therein named.

No. 248. A joint resolution on the subject of Mary Griffith, an Indian woman, transferring her land.

No. 50. An act to authorize the establishment of a ferry across the Wabash river, at the town of Independence.

No. 285. An act fixing the time of holding the February and August terms of Hancock Probate Court.

No. 280. An act allowing grace on all bills of exchange.

No. 287. An act authorizing the Trustees of school district number 13, in township 36, north of range 3 west, in Laporte county, to levy a tax to build a school house.

No. 269. An act relative to the Probate Judges of Laporte county.

No. 235. An act (a bill) to incorporate the Ohio Insurance company.

No. 178. An act (a bill) to reduce the expenses of the Circuit Court in the counties of Greene and Brown, and for other purposes.

No. 148. An act authorizing the county Auditors of Laporte and St. Joseph, to make deeds in certain cases.

No. 128. An act to incorporate the Shelbyville arm of the Shelbyville and Edinburgh Lateral Branch Rail Road Company.

No. 244. An act authorizing the Board of Commissioners of the county of Monroe, to make additional compensation to Probate Judge of said county.

No. 277. An act for the relief of the heirs of Samuel Goldsberry, deceased.

No. 161. An act respecting attorneys at law.

No. 90. An act to incorporate the pay of the Auditor of Hamilton county.

All of which originated in the Senate.

January 16, 1849.

And,

On motion,

The Senate adjourned.

Two o'clock, P. M.

The Senate met ;

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have concurred in engrossed amendments of the Senate, Nos. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 21, without amendment, and that the House have also concurred in the engrossed amendment of the Senate No. 4, with one amendment, and that the House have refused to concur in the engrossed amendments of the Senate, Nos. 19, 20 and 22, to engrossed bill of the House, No. 369, an act making specific appropriations for 1849.

In which amendment the concurrence of the Senate is respectfully requested.

And,

On motion,

The Senate concurred in the said engrossed amendment of the House to the said engrossed amendment of the Senate, and

Insisted on their engrossed amendments to said engrossed bill.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate without amendment:

No. 238. An act to revive the law authorizing the assessment of a tax on real estate in the county of Morgan, for road purposes;

No. 297. A joint resolution instructing our Senators, and requesting our Representatives to procure a donation from Congress of 4000 acres of land in the Miami Reserve, in lieu of 4000 acres of land confirmed to the President and Trustees of the Vincennes University, of lands previously donated to the State of Indiana, in the two townships of lands for the use of the Indiana Seminary;

No. 298. A joint resolution relative to the harbour of Michigan city;

No. 296. An act confirming a settlement made between the county commissioners of Hancock county, and James D. Henry, and for other purposes;

No. 295. An act to amend the 1st article of the 7th chapter of the revised statutes of 1843;

No. 300. An act in relation to school district No. 7, in the town of Hartsville, Bartholomew county;

No. 149. An act to authorize the erection of dams in the Wabash river, and its tributaries above the Delphi dam;

Also, that the House have concurred in the engrossed amendment of the Senate to engrossed bill of the House,

No. 275. An act to locate a State road in the county of Switzerland:

Without amendment.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bills of the Senate, without amendment:

No. 13. An act to authorize the election of township assessors in the county of Jay;

No. 226. An act directing the Secretary of State to make patents to certain Michigan road lands;

No. 171. An act to regulate the fees and emoluments of the auditor and treasurer of La Grange and Stuben counties;

No. 291. An act confirming the location of a State road leading from Logansport, in Cass county, to Kokomo, in Howard county; Also, that the House have concurred in the engrossed amendment of the Senate to the bill of the Senate,

No. 150. An act to amend an act entitled "An act to lease the Indiana State Prison, and for other purposes," approved January 16, 1846;

Without amendment.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution:

Resolved, That the 17th joint rule for conducting business in the two Houses of the General Assembly of the State of Indiana, be, and the same is hereby rescinded, so far as this House is concerned, and that the concurrence of the Senate is respectfully requested herein.

In which resolution the Senate refused to concur.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution:

Resolved, By the House of Representatives, the Senate concurring therein, that the operation of the resolution adopted by this General Assembly providing for the adjournment of both Houses on the 16th instant, be and the same is hereby suspended until January 17, 1849, and that the Senate be informed thereof, and their concurrence respectfully requested.

On motion,

The Senate concurred in the above resolution.

The following message was received from the House of Representatives by their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bills thereof:

No. 383. An act to amend an act entitled "an act to incorporate the town of Laporte," approved February 18, 1839.

No. 385. An act to change the name of James Gee and others therein named.

In which the concurrence of the Senate is respectfully requested.

No. 383. A bill to amend an act entitled "an act to incorporate the town of Laporte," approved February 18th, 1839.

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time and passed.

No. 395. A bill to change the name of James Gee and others therein named;

Was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives by Mr. Dodd, their Clerk:

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill and joint resolution of the Senate, without amendment, to-wit :

No. 289. A joint resolution authorizing the Governor or Agent of State to make sale of all or any real estate owned by the State of Indiana in the State of Georgia.

No. 301. An act in relation to the school lands in Floyd county.

The following message was received from the House of Representatives by their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House refuses to recede from her disagreement to the amendment of the Senate to bill of the House

No. 82. An act incorporate the town of Lamasco city, and define the powers of the President and Trustees thereof.

On motion by Mr. Miller,

The message was laid upon the table.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have passed the engrossed bill of the Senate

No. 61. An act explanatory of "the act prescribing the manner of assessing and paying the taxes due upon the stock of individuals in the Madison and Indianapolis Rail Road Company, approved February 16, 1848,

With one amendment;

In which the concurrence of the Senate is respectfully requested.

Whereupon the Senate refused to concur in the engrossed amendments of the House to the engrossed bill of the Senate.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have concurred in the engrossed amendment of the Senate to engrossed bill of the House,

No. 260. An act to attach additional territory to the county of Laporte and for other purposes,

Without amendment;

Also, that the House have concurred in the engrossed amendment of the Senate to the engrossed bill of the House,

No. 267. An act to incorporate the town of Anderson in Madison county,

Without amendment.

Mr. Orth made the following report from a select committee:

MR. PRESIDENT :

The select committee to which was referred bill of the House No. 353, entitled "an act declaring Market street as originally laid off on the south side of out-lots No. 59, 60, and 61, of the town of Indianapolis, a public highway," have had the same under consideration and instructed me to report the same to the Senate without any recommendation for its action;

When Mr. Orth moved to lay the bill upon the table.

And the ayes and noes being demanded by two Senators, they were ordered.

Those who voted in the affirmative are,

Messrs. Beard, Cassatt, Conduit, Davis, English, Hamrick, Harvey, Hendricks, Holloway, Houghton, Huffstetter, Malott, Milligan,

Miller, Montgomery, Morrison, Orth, Randall, Robinson, Sleeth and Waters—22.

Those who voted in the negative are,

Messrs. Day of St. Joseph, Garver, Green, Porter and Stewart—5.

No quorum voting.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have receded from their disagreement to the engrossed amendments of the Senate No. 19 and 22, and have concurred in the same without amendment, and that the House insist upon their disagreement to engrossed amendment of the Senate No. 20, to the engrossed bill of the House,

No. 369. An act making specific appropriations for 1849 ;

And the House have appointed Messrs. Meredith and Barbour, a committee of conference on the part of the House ;

Whereupon,

Messrs. English and Walpole were appointed said committee on the part of the Senate.

Mr. Randall asked and obtained leave to make the following report :

MR. PRESIDENT :

The select committee to whom was referred House bill No. 351, entitled an act to amend the 8th article of the 12th chapter of the Revised code, have had the same under consideration, and directed me to report the same back for the action of the Senate.

And,

On motion,

The bill was laid upon the table.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House have concurred in the report of the committee of free conference appointed on bill of the House,

No. 369. An act making specific appropriation for the year 1849.

Mr. Walpole from the committee on the said bill made the following report :

MR. PRESIDENT :

The committee of free conference, to whom was referred the disagreement of the two Houses on the amendment of the Senate to bill No. 369, entitled an act making specific appropriations for the year 1849, have conferred together and agree to allow John H. Thompson the sum of twenty dollars for reading and correcting the proof, certifying and having the laws of a general and public nature, published and distributed through the State for the years 1846, '47 and '48, and ask that the Senate concur in said agreement ;

Which report was concurred in.

Mr. Garver moved to take from the order of business, bill of the House, entitled,

No. 34. A bill to regulate the fees and salaries of certain officers of Dearborn county ;

Which motion was decided in the negative.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House have passed the following engrossed bill, viz :

No. 391. An act to extend the time for making the annual settlement by the Treasurer of Kosciusko county ;

In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

Mr. Stewart asked and obtained leave to make the following report from a select committee :

MR. PRESIDENT :

The select committee to which was referred House bill No. 305, entitled " An act authorizing the leasing of the finished portion of the Central Canal, and for other purposes," have had the same under consideration, and instructed me to report the same back to the Senate, with one amendment, upon the adoption of which, they recommend its passage ;

Amendment referred to in the above report :

Strike out section four, and insert the following :

Sec. 4. It is hereby made the duty of the Superintendent of the said Central Canal, to cause the dam on the lower level of said Central Canal to be removed immediately.

Sec. 5. The said Superintendent shall cause all water in said Canal leased for hydraulic purposes, to be accurately measured and gauged to the respective lessees by a competent Engineer, who shall endorse and certify upon the respective leases the quantity of water which each lessee is entitled to receive by virtue of his lease.

Sec. 6. When the water leased shall be gauged and measured as aforesaid, the Superintendent shall cause each lessee to erect a permanent regulating wier, at the head race conducting the water to his mill, lengthwise of the Canal, and the water shall be admitted through said wier, and in no other way; said wier shall be constructed at the bottom of the Canal, or as near thereto as is practicable, and the aperture in each wier, in the same basin, shall be made on the same level, and the said aperture shall be of the same width perpendicularly, and the length longitudinally shall be in proportion to the amount of water to be passed through each.

Sec. 7. The Superintendent shall make an annual report to the Auditor of State, containing a minute statement of the receipts and expenditures of said Canal, and he shall at all times pay out of the receipts of said Canal, the laborers who may have performed work on said Canal, in preference to claims held against said Canal by other persons.

Sec. 8. Said Superintendent shall cause a regulating gate to be constructed at the tumble in the town of Indianapolis, which conducts the water from the upper to the lower basin of said Canal, for the purpose of passing the water from the upper to the lower basin, so as to cause the proper quantity of water to pass through said gate to the lower basin, to supply it when the proper quantity of water flowing through the different mills shall be obstructed from any cause, and that the quantity of water thus furnished to the lower basin shall be equal to the quantity leased at the upper basin, to be discharged into the lower basin.

Sec. 9. Said Superintendent shall also cause a regulating gate to be constructed at the lock of said Canal, or use the one already constructed at the lock, if proper and fit for such use, to furnish water for the Canal below said lock, on similar occasions, and the quantity of water furnished to the Canal below said lock, to be discharged into the Canal below the said lock.

Sec. 10. The Superintendent shall use all proper precautionary measures to prevent a breach in the locks of said Canal, and shall make frequent examinations thereof; he shall make frequent examinations of the wiers and waste gates, and shall see that they are kept properly regulated and in proper order, and shall cause all ob-

structions in said Canal to be removed, which would have a tendency to prevent the regular flow of water.

Sec. 11. Any lessee, after the quantity of water, to which he is entitled, shall be gauged to him, according to the provisions of this act, shall be authorized to make such alterations in his machinery as he may think proper, and use the water for any purpose at his option; *Provided*, that the same does not in any manner tend to injure or obstruct the said Canal, or prejudice other lessees. The term lessee, as used in this act, shall include the lessee, his heirs, executors, administrators and assigns.

Sec. 12. Should any lessee after the water has been so gauged and measured to him as aforesaid, fail or refuse to pay his rent at the time stipulated, for the payment of the same, or within sixty days thereafter, the Superintendent is hereby directed, and it is hereby made his positive duty, to certify the fact to the Auditor, Treasurer, and Secretary of State; whose duty it shall be, if they find that said lessee refuses to pay his rent, to order the Superintendent to shut the water from the mill or machinery of such lessee, until such rent is paid, and no allowance shall be made to such lessee, for the loss of water thus shut out. But the Superintendent in collecting rents from lessees shall make all proper deductions for any failure to supply the proper quantity of water, when the same is not occasioned by the lessee's own neglect.

But nothing in this act shall be so construed, as applying to any duty of State heretofore, or liability of any lessees, but the rent shall be settled and paid in the same manner and amount as if said act had not been adopted.

Which was adopted, and,

The amendment ordered to be engrossed.

The following message was received from his Excellency the Governor, by Mr. Carr, the Executive messenger :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate, that he has this day approved and signed the following bills :

No. 176. An act to amend an act entitled "an act to provide for the construction of a Rail Way in Laporte county," approved February 16, 1843;

No. 102. An act to authorize the President of the Sinking Fund Commissioners, to execute patents or deeds in certain cases;

No. 144. An act to locate a State Road in Jefferson and Ripley counties;

No. 110. An act to establish a Male and Female Institute in the city of Lawrenceburgh, Dearborn county, Indiana;

No. 191. An act to incorporate the Madison Iron Manufacturing Company;

No. 47. An act to incorporate the Lima Band;

No. 160. An act to incorporate the Indiana Council, No. 1, of the Order of United American Mechanics;

- No. 107. An act to incorporate the Washington Fire Company, No. 2;
- No. 198. An act declaring certain laws, relative to roads and highways, to be in force in the county of Lawrence;
- No. 99. An act to amend the laws relating to the execution of deeds by order of the probate court;
- No. 14. An act to amend an act, entitled an act, creating the Tippecanoe court of common pleas, and defining its jurisdiction. Approved, Jan. 8th, 1848;
- No. 158. An act concerning the Lafayette and Indianapolis Rail Road Company;
- No. 229. An act to amend an act, to incorporate the Ohio and Mississippi Rail Road Company;
- No. 48. An act authorizing the construction of Plank Roads;
- No. 25. An act to incorporate the Cross plains and Laughery Turnpike Company;
- No. 192. An act to amend an act, entitled "an act, to incorporate the Moorsville Branch Rail Road Company." Approved, Feb. 15, 1848;
- No. 18. An act to incorporate the Laporte Iron Manufacturing Company;
- No. 118. An act for the benefit of the Ohio and Indianapolis Rail Road Company, and changing the name and style of said Company;
- No. 201. An act further to amend an act, entitled "an act to incorporate the town of Columbus, in Bartholomew county, Indiana." Approved, Feb. 6, 1839;
- No. 42. An act defining the duties of county Treasurers, in the several counties therein named;
- No. 82. An act to incorporate the Richmond Bridge and Turnpike Company;
- No. 54. An act to amend an act, entitled "an act to incorporate the Peru and Indianapolis Rail Road Company." Approved, Jan. 19, 1846;
- No. 166. An act to amend an act, entitled "an act, to incorporate the Madison and Napoleon Turnpike Company;
- No. 74. An act to repeal section 3, chapter 28, of the Revised Statutes of 1843, relative to sales by Indians, relative to contracts with Indians;
- No. 60. An act to provide for taking the sense of qualified voters of the State, on calling of a convention, to alter, amend, or revise the constitution of the State;
- No. 115. An act to incorporate the Fort Wayne and Southern Rail Road Company;
- No. 228. An act to unite the Mount Carmel and New Albany Rail Road Company and the Mount Carmel and Alton Rail Road Company, to be called the Mount Carmel and New Albany Rail Road Company;
- No. 187. An act to record the survey of a State road, in Ripley county;

- No. 239. An act to incorporate the Wild Cat Bridge Company;
- No. 218. An act to locate a State road, in the counties of White, Jasper, and Tippecanoe;
- No. 262. An act to improve the breed of horses, in the county of Randolph;
- No. 106. An act to change a certain State road therein named;
- No. 240. An act to incorporate the Indiana Mining Company;
- No. 251. An act to incorporate the Milan and Manchester-Turnpike Company;
- No. 257. An act to amend an act "entitled an act to incorporate the Fairview Academy, in Rush county;"
- No. 39. An act to amend and extend section sixty (60,) chapter thirty-eight (38,) of Revised Laws of 1843 so far as Jefferson county is concerned;
- No. 257. An act to amend an act entitled "an act to incorporate the Madison and Napoleon Turnpike Company;"
- No. 222. An act to amend the Charter of the Jeffersonville Association;
- No. 227. An act declaratory of the meaning of a certain act therein named;
- No. 230. An act to prevent the consolidation of indictments in certain cases, in Hamilton county;
- No. 241. An act to amend section 89, of article 7, of chapter 12, of the Revised Statutes of 1843;
- No. 223. An act to incorporate the Indianapolis and Danville Rail Road Company;
- No. 123. An act to incorporate the Indiana Fire and Marine Insurance Company;
- No. 19. An act to amend an act, entitled "an act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto," into one act, and to amend the same. Approved, Feb. 14, 1848;
- No. 234. An act to incorporate the town of Wabash;
- No. 255. An act for the relief of Rosewell Langdon, of Perry county;
- No. 245. A joint resolution in relation to the Indianapolis and Peru Rail Road Company;
- No. 226. An act to change the name of Emanuel Wise to Emanuel Wise Stafford;
- All of which originated in the Senate.
- Mr. Hamrick made the following report, from the committee on enrolled bills:

MR. PRESIDENT:

The committee on enrolled bills have, this day, presented to the Governor, for his approval and signature, bills of the Senate, No. 90, 277, 244, 128, 148, 178, 235, 269, 287, 280, 285, 50, 248, 259, 153, 271, 284, 270, 161, 151, 287, 204, 114, 120, 98, 238, 295, 291.

Also, bills of the House, Nos. 344, 347, 57, 337, 176, 349, 263, 334, 291, 66, 234, 370, 342, 339, 375, 195, 161, 280, 229, 245, 345, 43, 308, 276, 335, 249.

Mr. Hamrick made the following report, from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills, have examined enrolled bills of the Senate, Nos. 296, 98, 114, 120, 295, 278, 238, 8, 279, 232, 288, 300, 149, 298, 297, 291, 138, 289, 282, with the engrossed thereof, and find them correctly enrolled.

Mr. Orth asked and obtained leave to offer the following resolution:

Resolved, That when the Senate adjourns, it will adjourn to meet this evening, at 7 o'clock.

Which was adopted.

On motion,
The Senate ajourned until 7 o'clock this evening.

Seven o'clock, P. M.

The Senate met.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate without amendment :

No. 169. An act to amend an act in relation to the sale of real estate by executors and administrators, approved 13th January, 1845.

No. 135. An act to authorize the commissioners of Porter county to employ a physician for the poor.

No. 213. An act amendatory of an act entitled an act to establish a levee from the town of Vincennes through the lower prairie near the Wabash river, to the Grand Coulee, approved 2d February, 1833.

No. 125. An act to amend an act incorporating the Brookville and West Union Turnpike company.

No. 108. An act to authorize the auditor of Harrison county to execute a deed to William R. Goldsmith of said county.

No. 100. An act to authorize the commissioners of Laporte county to settle with the securities of William Hawkins.

No. 111. An act to incorporate the Fort Wayne Medical society.

No. 105. An act for the relief of John Kromer.

No. 97. An act to incorporate the Hillsborough horse thief detecting company.

No. 134. An act relative to the execution of decrees in chancery.

No. 91. An act to extend the time of the sessions of the March and June terms of the board of commissioners of Knox county.

No. 96. A joint resolution to authorize the purchase of the picture of the Tippecanoe battle ground.

No. 104. An act for the relief of Enoch Rinehart of Carroll county.

No. 286. A joint resolution relative to the scrip account between the State of Indiana and the Trustees of the Wabash and Erie canal.

The following message was received from the House of Representatives by their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bill thereof :

No. 393. An act for the relief of the securities of executors, administrators, guardians, and commissioners to sell real estate.

In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and,

On further motion,

The rules were further suspended, the bill read a third time, and passed.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate that the House has passed the following engrossed bills of the Senate :

No. 126. An act more effectually to prevent the retailing of spirituous liquors in certain counties therein named.

No. 89. A joint resolution authorizing an additional subscription

by the State in the stock of the Madison and Indianapolis Railroad company, and for the sale thereof;

With sundry amendments, in which the concurrence of the Senate is respectfully requested.

On motion,

The Senate concurred in the engrossed amendment of the House to the engrossed bill of the Senate contained in said message, No. 126.

On motion,

The Senate concurred in the engrossed amendment of the House to the engrossed joint resolution of the Senate, contained in said message, No. 89.

The following message was received from the House of Representatives by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has concurred in the engrossed amendment of the Senate to engrossed bill of the House,

No. 254. An act to prohibit the sale of spirituous liquors in Adams and Fall Creek townships in Madison county, by a less quantity than thirty gallons;

With one amendment, in which the concurrence of the Senate is respectfully requested.

On motion,

The Senate concurred in the engrossed amendment of the House to the engrossed bill aforesaid.

Mr. Stewart asked and obtained leave to make the following report:

MR. PRESIDENT:

The committee on the judiciary, to which was referred a joint resolution of the House of Representatives, entitled "a joint resolution recommending a change in the present mode of electing the President and Vice President of the United States," have had the same under consideration, and instructed me to report the same back to the Senate, and recommend that it be laid on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Stewart asked and obtained leave to make the following report:

MR. PRESIDENT:

The committee on Education to whom was referred bill of the

Senate No. 38, entitled "A bill to authorize the election of congressional township treasurers, and for other purposes," have had the same under consideration and directed me to report the same back to the Senate, and recommend that it be laid on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Stewart asked and obtained leave to make the following report:

MR. PRESIDENT:

The committee on Education to whom was referred bill of the House of Representatives, No. 163, entitled "A bill to extend the time of payment to purchasers of school lands, and for other purposes," have had the same under consideration, and directed me to report the same back to the Senate, and recommend that be laid on the table.

Which report was concurred in, and the bill laid upon the table.

Mr. Stewart asked and obtained leave to make the following report:

MR. PRESIDENT:

The committee on Education to whom was referred petitions on the subject of education, have had the same under consideration and instructed me to report the same back to the Senate, and recommend that they be laid upon the table.

Which report was concurred in, and the petitions laid on the table.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk:

MR. PRESIDENT:

I am directed to inform the Senate that the House of Representatives have passed the following engrossed bill of the Senate, without amendment:

No. 273. An act authorizing the sale of certain sinking fund lands.

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have passed the following engrossed bill thereof:

No. 384. An act for the more effectual collection of delinquent taxes;

In which the concurrence of the Senate is respectfully requested.

And the bill was read a first time, and,

On motion,

The rules were suspended, the bill read a second time, and ordered to a third reading.

On leave granted,

Mr. Garver offered the following resolution :

Resolved, That when the Senate adjourn, it will adjourn to meet at six o'clock to morrow morning :

Which resolution was adopted.

Mr. Stewart made the following report from the committee on enrolled bills :

MR. PRESIDENT :

The committee on enrolled bills have examined Senate bill No. 226, and find the same correctly enrolled.

The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

The Speaker of the House of Representatives has signed the following enrolled acts of the House :

Nos. 23, 260, 301, 303, 293, 106, 171, 352, 304, 159, 354, 230;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also, the following message :

MR. PRESIDENT :

The Speaker of the House of Representatives has signed the following enrolled acts of the Senate :

Nos. 286 and 196;

Which I am directed to bring to the Senate for the signature of the President thereof :

Also, the following message :

MR. PRESIDENT :

The Speaker of the House of Representatives has signed the following enrolled acts of the House:

No. 339. An act for the relief of Cary S. Goodrich, approved January 27, 1847;

No. 342. An act to repeal an act, approved February 12, 1848.

No. 234. An act relative to the pay of the probate judge in the county of Grant;

No. 370. An act to provide for the manner of letting the work of the Asylum for the education of the Deaf and Dumb;

No. 66. An act in relation to certain officers in the county of Dearborn;

No. 291. An act to authorize the county commissioners of Daviess county to vacate a State road therein, and for other purposes;

No. 334. An act to authorize the Shelbyville Lateral branch railroad company to dispose of their real estate;

No. 263. An act for the relief of the heirs of Alexander Smith, late of the county of Adams, and also for the relief of Samuel H. Gregg;

No. 349. An act legalizing a State road in Porter county;

No. 43. An act to vacate a part of the town of Sparta, in Noble county;

No. 124. An act to incorporate the Covington Draw-bridge Company;

No. 345. An act to incorporate the Muncie, Jonesboro, Marion, and Peru Railroad Company;

No. 340. An act to incorporate the Paris and Dupont Railroad Company;

No. 245. An act extending the provisions of chapter 16 of the Revised Statutes of 1843, to the county of Noble, and for other purposes;

No. 229. An act to equally distribute the local and general laws of this State;

No. 280. An act in relation to the agent of State for loaning the surplus revenue in Clark county;

No. 375. An act to change a portion of a certain State road therein named, in the county of Clay;

No. 195. An act to provide for the location of a State road in Grant and Wabash counties;

No. 161. An act providing for the election of township assessors in the counties of Dearborn, Switzerland, Ohio and Jay;

No. 95. An act to incorporate the Central Plank Road Company;

No. 308. An act for the better security of the surplus revenue fund in Boon county;

No. 276. An act to provide for the election of prosecuting attorneys in the 4th and 8th judicial circuits;

No. —. An act to amend the act entitled "An act to incorporate the Madison and Brownstown Turnpike Company, which became a law February 11th, 1848;

No. 335. An act declaring the width of a certain street in the town of Bloomington in the county of Monroe;

No. 149. An act for the relief of John Smith of Owen county;

No. 344. An act to locate a State road in the counties of Grant and Delaware;

No. 347. An act to secure to the common school fund of Jennings county the value and rents of certain real estate in said county, and for other purposes;

No. 57. A joint resolution in relation to the seat of government of the United States;

No. 337. An act authorizing the location of a State road from the Michigan road near Carroll postoffice in Carroll county, to Jonesborough in Grant county;

No. 176. A joint resolution on the subject of the three per cent. fund;

No. 113. An act in relation to the real and personal estate of John Fischli, late of Jackson county, deceased;

No. 333. An act to incorporate the trustees of Clark university;

No. 258. An act to repeal an act therein named;

No. —. An act to amend the 10th chapter of the Revised Statutes of 1843, in relation to the duties of county surveyors;

No. 272. An act to change the manner of electing the Marshall of the borough of Vincennes;

No. 311. An act to amend the 209th section of chapter 30th of the Revised Statutes of 1843;

No. 235. An act to change the name of Lewisburgh to that of Eden;

No. 343. An act to repeal an act entitled "An act to repeal the fourth section of the forty-seventh chapter of the Revised Statutes, so far as relates to Elkhart county;"

No. 171. An act for the relief of the persons therein named;

No. 177. An act to incorporate the Warsaw Manufacturing Company;

No. 374. An act for the relief of the land owners along the northern line of Ohio county;

No. 273. An act to authorize a survey and the making of a plat of the town of Troy in Perry county;

No. 341. An act authorizing the removal of obstructions in Salt Creek, Bean Blossom, and Clear Creek, in the county of Monroe, and for other purposes;

No. 329. An act to incorporate a certain road in the county of DeKalb;

No. 296. An act in relation to the jurisdiction of justices of the peace in Wayne county;

No. 203. An act to alter the time of holding circuit courts in Owen, Morgan, and Brown counties, in the 10th judicial circuit;

No. 288. An act to amend an act entitled "An act for the extension of a State road in Laporte county, to Winnemac in Pulaski county;"

No. 275. An act to locate a State road in the counties of Switzerland and Hancock;

No. 256. An act to incorporate the Troy and Wabash River Railroad Company;

No. 285. An act to incorporate the Madison Manufacturing and Ship Yard Company;

No. 290. An act to incorporate the Connersville and Browns-ville Turnpike Company;

No. 238. An act making general appropriations, &c., for the year 1849;

No. 313. An act to incorporate the Preachers' Relief Society of the Methodist Protestant Church of Indiana;

No. 129. An act to amend an act entitled "An act to amend article 5, chapter 45, of the Revised Statutes of 1843," approved February 16, 1848;

No. 326. An act for the relief of the Christian Church at Stiles-ville in Hendricks county, Indiana;

No. 295. An act in relation to a State road;

No. 391. An act to extend the time for making the annual settlement by the Treasurer of Kosciusko county;

No. 302. An act for the relief of Elish Durkell;

No. 239. An act to raise a revenue for State purposes for 1849;

Nos. 322, 300, 77, 346, 355, 382, 279, 376, 381, 368, 207, 287, 359, 367, 150, 363, and 147;

Which I am directed to bring to the Senate for the signature of the President thereof.

Also the following message:

MR. PRESIDENT:

The speaker of the House of Representatives has signed the following enrolled acts of the Senate:

No. 248. A joint resolution on the subject of Mary Griffith, an Indian woman, transferring her land;

No. 50. An act to authorize the establishment of a ferry across the Wabash river at the town of Independence;

No. 285. An act fixing the time of holding the February and August terms of Hancock Probate court;

No. 283. An act to incorporate the Newburgh cotton Mill;

No. 179. An act relative to the practice in probate courts;

No. 153. An act regulating the jurisdiction of justices of the peace in Jefferson, Rush, Union, and Jennings counties;

No. 259. An act to increase the pay of the probate judges of certain counties therein named;

No. 284. An act to legalize certain roads in Jefferson county;

No. 271. A joint resolution in relation to soldiers of the war with Great Britain;

No. 90. An act to increase the pay of the auditor of Hamilton county;

- No. 161. An act respecting attorneys at law;
 No. 277. An act for the relief of the heirs of Goldsberry, deceased;
 No. 244. An act to authorize the board of Commissioners of the county of Monroe to make additional compensation to probate judge of said county;
 No. 178. An act to reduce the expenses of the circuit court of the counties of Green and Brown and for other purposes;
 No. 125. An act to incorporate the Shelbyville arm of the Shelbyville and Edinburg Lateral Branch Rail Road Company;
 No. 148. An act authorizing the county auditors of Laporte and St. Joseph to make deeds in certain cases;
 No. 256. An act to locate a State road in the counties of Fountain and Tippecanoe;
 No. 76. An act defining the jurisdiction of justices of the peace in the several counties therein named;
 No. 280. An act allowing grace on all bills of exchange;
 No. 287. An act authorizing the trustees of school district No. 13, in township 36 north, of range three west, in Laporte county to levy a tax to build a school house;
 No. 269. An act in relation to the probate judge of Laporte county;
 No. 270. An act to amend an act entitled an act to incorporate the town of Patriot, in Switzerland county, Indiana, certain misprints therein, approved, February 16, 1848;
 No. 120. An act to incorporate the Fort Wayne and Buffalo Turnpike Company;
 No. 98. An act for the relief of the trustees of the Methodist Episcopal church in the town of Rockford, and also for the relief of the trustees of the Lutheran Reformed Church in town;
 No. 278. An act to incorporate the Waveland Academy in Montgomery county;
 No. 238. An act to revive the law authorizing the assessment of a tax on real estate in the county of Morgan for road purposes;
 No. 295. An act to amend the first article, of chapter seven, of the Revised Statutes of 1843;
 No. 79. A joint resolution in relation to the contract between the State and her bondholders;
 No. 149. An act to authorize the erection of dams in the Wabash river and its tributaries above the Delphi dam;
 No. 291. An act conforming the location of the State road leading from Logansport in Cass county to Kokomo in Howard county;
 No. 292. An act to amend article 5, of the Revised Statutes of 1843, relative to writs *ad quod damnum*;
 No. 279. An act to incorporate the Lagro, Marion, and Jonesboro Plank Road Company;
 No. 288. An act in relation to school houses in Dearborn county;
 No. 330. An act for the relief of Dempsey Linton, of Randolph county;

- No. 232. An act to incorporate the Northern Indiana Plank Road Company;
 Nos. 268, 297, and 301;
 Which I am directed to bring the Senate for the signature of the President thereof.

Mr. Hamrick made the following report :

MR. PRESIDENT :

The committee on enrolled bills have examined and compared enrolled bills of the Senate Nos. 96, 13, 301, 286, 171, 134, 220, 26, with engrossed bills thereof and find them correctly enrolled.

On motion,
 The Senate adjourned until to-morrow at 6 o'clock.

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 WEDNESDAY MORNING, 6 O'CLOCK, JAN. 5, 1849

The Senate met.

On motion,  
 The Senate dispensed with the reading of the journal of the previous day.  
 The following message was received from the House of Representatives, by Mr. Dodd, their clerk :

MR. PRESIDENT :

The Speaker of the House of Representatives has signed the following enrolled acts of the House :  
 Numbers 360, 300, 147, 358, 167, 362 ;  
 Which I am directed to bring to the Senate for the signature of the President thereof.

Also the following message was received from the House of Representatives by Mr. Dodd their clerk.

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Sen-



ate, that the House have passed the following engrossed bills of the Senate, without amendment :

No. 249. An act to authorize the county commissioners of Cass county to increase the highway tax in said county.

No. 281. An act to amend an act entitled, "an act to require certain statutes to be published in some newspapers at Indianapolis, and for other purposes."

Also the following message was received from the House of Representatives by Mr. Dodd their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House has passed the following engrossed bill of the Senate :

No. 275. An act to amend an act to authorize the people of the several townships of the several counties, to prohibit the retailing of spirituous liquors ;

With one amendment.

In which the concurrence of the Senate is respectfully requested.

And,

On motion,

The bill and amendment was laid upon the table.

Also the following message was received from the House of Representatives by Mr. Dodd their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the Senate, that the House insist upon their engrossed amendment to engrossed bill of the Senate.

No. 61. An act explanatory of the act prescribing the manner of assessing and paying the taxes due upon the stock of individuals in the Madison and Indianapolis Railroad Company, approved February, 1848 ;

And,

On motion,

The Senate receded from their disagreement, and concurred in said amendment.

The following message was received from the House of Representatives by Mr. Dodd their clerk :

MR. PRESIDENT :

I am directed by the House of Representatives to inform the

Senate, that the House have passed the following engrossed bills thereof :

No. 394. An act to provide for the security of the school funds.

No. 395. A joint-resolution requiring the Governor to obtain information from the war department.

In which the concurrence of the Senate is respectfully requested.

And said bill, No. 394, was read a first time ; and,

On motion,

The rules were suspended, and the bill read a second time, and laid upon the table.

And said bill No. 395,

Was read a first time, and,

On motion,

The rules were suspended, and the bill read a second time, and Laid upon the table.

The following message was received from the House of Representatives by Mr. Dodd, their clerk :

MR. PRESIDENT :

The Speaker of the House of Representative has signed the following enrolled acts of the Senate :

No. 254. An act to prohibit the sale of spirituous liquors in Adams and Fall Creek townships, in Madison county, by a less quantity than 30 gallons.

Which I am directed to bring to the Senate for the signature of the President thereof.

The following message was received from the Governor by Mr. Carr, the Executive Messenger :

MR. PRESIDENT :

I am directed by the Governor, to inform the Senate, that he has this day, approved and signed the following bills :

No. 278. An act to incorporate the Waveland Academy in Montgomery county.

No. 295. An act to amend the first article of chapter seven of the Revised Statutes of 1843.

No. 114. An act to incorporate the Franklin and White River Turnpike Company.

No. 149. An act to authorize the erection of dams in Wabash river and its tributaries, above the Delphi dam.

No. 289. A joint resolution authorizing the Governor, or Agent of State, to make sale of all or any real estate owned by the State of Indiana in the State of Georgia.

No. 204. An act defining the duties and fixing the compensation of the Prosecuting Attorney of Hancock county.



No. 282. An act to incorporate the Grand and Subordinate Temples of Honor of the State of Indiana.

No. 291. An act confirming the location of the State road leading from Logansport, in Cass county, to Kokomo, in Howard county.

No. 296. An act confirming a settlement made between the county Commissioners of Hancock county and James D. Henry, and for other purposes.

No. 120. An act to incorporate the Fort Wayne and Bluffton Turnpike company.

No. 8. An act to incorporate the Richmond and Williamsburg Turnpike Company.

No. 238. An act to revive the law authorizing the assessment of a tax on real estate in the county of Morgan, for road purposes.

No. 98. An act for the relief of the Trustees of the Methodist Episcopal Church, in the town of Rockford; and also, for the relief of the Trustees of the Lutheran German Reformed Church in said town.

No. 79. A joint resolution in relation to the contract between the State and her Bondholders.

No. 288. A bill in relation to school houses in Dearborn county.

No. 134. An act relative to the execution of decrees in chancery.

No. 101. An act in relation to school lands in Floyd county.

No. 232. An act to incorporate the Northern Indiana Plank Road Company;

No. 279. An act to incorporate the Lagro, Marion, and Jonesborough Plank Road Company;

No. 226. An act directing the Secretary of State to make patents for certain Michigan Road lands;

No. 236. An act directing the Secretary of State to make patents for certain Michigan Road lands;

No. 301. An act to amend article 2 of chapter 42 of the Revised Statutes of 1843;

No. 105. An act for the relief of John Kromer;

No. 300. An act in relation to school district, No. 7, in the town of Hartsville, Bartholomew county;

No. 286. A joint resolution relative to the scrip account between the State of Indiana and the Trustees of the Wabash and Erie Canal;

No. 96. A joint resolution to authorize the purchase of a picture of the Tippecanoe Battle Ground, now in the State Library;

No. 135. An act to authorize the commissioners of Porter county to employ a Physician for the poor;

No. 273. An act to authorize the sale of certain Sinking Fund lands;

No. 89. A joint resolution authorizing an additional subscription by the State in the stock of the Indianapolis and Madison Railroad Company, and for the sale of the same;

No. 194. An act for the relief of Enoch Rinehart, of Carroll county;

No. 191. An act to extend the times of the sessions of the March and June terms of the board of county commissioners of Knox county;

No. 126. An act more effectually to prevent the retailing of spirituous liquors in certain counties therein named;

No. 111. An act to incorporate Fort Wayne Medical Society;

No. 298. A joint resolution relative to the harbor at Michigan City;

No. 138. An act to revise and consolidate the several acts of the General Assembly relative to laying out, opening, repairing, changing, and vacating public highways, and to the erection and repair of bridges, and to amend the same;

No. 125. An act to amend the act incorporating the Brookville and West Union Turnpike Company;

No. 169. An act to amend an act in relation to the sale of real estate by executors and administrators, approved Jan. 13, 1845;

No. 272. An act for the relief of Robert B. Duncan, of Marion county;

No. 24. An act repealing a certain act therein named;

No. 297. A joint resolution instructing our Senators in Congress, and requesting our Representatives, to use their influence to procure a donation by Congress of four thousand acres of land in the Miami Reserve, for the use of the Indiana University, in lieu of four thousand acres conferred by Congress to the President and Trustees of the Vincennes University, out of the two sections of land previously granted by Congress to the State of Indiana for the use of the Indiana Seminary, in the counties of Gibson and Monroe;

No. 224. An act to authorize county commissioners of the county of Cass to increase the highway tax in said county;

No. 281. An act to amend an act, entitled "An act to require certain Statutes to be published in some newspaper at Indianapolis, and for other purposes," approved Jan. 20, 1846;

No. 220. An act to incorporate the Brookville and Miling Turnpike Company;

No. 215. An act to incorporate the Ohio, Indiana, and Lake Michigan Railroad Company;

No. 61. An act explanatory of the act prescribing the manner of assigning and paying the taxes due upon the stock of individuals in the Madison and Indianapolis Railroad Company, approved Feb. 16, 1848;

All of which originated in the Senate.

January 17, 1849.

Also, the following message was received from the Governor, by Mr. Carr, the Executive Messenger:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate, that he has approved and signed the following joint resolution:



No. 26. A joint resolution on the Independence of Liberia, Which originated in the Senate.

Mr. Porter offered the following resolution:

*Resolved*, That a committee of two be appointed on the part of the Senate, to act with a similar committee on the part of the House, to wait on his Excellency, the Governor, and inform him that both Houses have gone through with their legislative business and are ready to adjourn, *sine die*, if he has no further communication to make to them, and that the House be informed of the adoption of this resolution;

Which was adopted, and, Messrs. Porter and Miller were appointed said committee on the part of the Senate.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House have reciprocated the resolution of the Senate, appointing a committee of two to wait on his Excellency, to inform him that both Houses have gone through with their legislative business, and are now ready to adjourn, *sine die*, unless he has no communication to make to them, and that the House have appointed Messrs. Harlan and Blakemore said committee on the part of the House.

The following message was received from the Governor, by Mr. Carr, the Executive messenger:

MR. PRESIDENT:

I am directed by his Excellency, the Governor, to inform the Senate, that he has approved and signed the following bills, viz:

No. 213. An act amendatory of an act entitled an "act to establish a levee from the town of Vincennes, through the lower prairie, near the Wabash River, to the Grand Coupee," approved 2d February, 1833;

No. 108. An act to authorize the Auditor of Harrison county to make a deed to William R. Goldsmith, of said county;

No. 100. An act to authorize the Commissioners of Laporte county to settle with the securities of William Hawkins;

No. 97. An act to incorporate the Hillsboro' Horse Thief Detecting Company;

All of which originated in the Senate.

Mr. Porter offered the following resolution:

*Resolved*, That the Secretary inform the House that the Senate have now gone through with their legislative business, and are ready to adjourn, *sine die*;

Which was adopted.

Mr. Porter, from the joint committee appointed to wait on his Excellency, the Governor, made the following report:

MR. PRESIDENT:

The joint committee appointed to wait on his Excellency, the Governor, and inform him that both Houses of the General Assembly had gone through with their legislative business and were ready to adjourn, *sine die*, if he has no further communications to make to them, have performed that duty, and are directed by his Excellency to inform the General Assembly that he has no further communications to make to them.

The following message was received from the House of Representatives, by Mr. Dodd, their Clerk:

MR. PRESIDENT:

I am directed by the House of Representatives, to inform the Senate, that the House have passed the following resolution:

*Resolved*, That the Senate be informed that the House have gone through with their legislative business, and are now ready to adjourn, *sine die*.

And,

On motion by Mr. Miller,  
The Senate adjourned, *sine die*.

FRANK EMERSON,  
Assistant Secretary of the Senate.



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BILLS AND JOINT RESOLUTIONS OF THE SENATE.

604

| Number. | TITLE.                                                                                                                                                                                                                                                                                                                                          | First Readings. | Proceedings before Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom Introduced. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 1       | A bill to authorize Robert Rossington to file a bill for a divorce at the January Special Term, 1849, of the Dearborn Circuit court,                                                                                                                                                                                                            | 7               | 9                           | 10             | 72            |                   | 228       | Orth.               |
| 2       | A joint-resolution relative to the further extension of Slavery, - - -                                                                                                                                                                                                                                                                          | 7               | 7                           |                |               |                   |           | Orth.               |
| 3       | A bill to provide for the election of a United States Senator by a <i>visa voce</i> vote, -                                                                                                                                                                                                                                                     | 7               | 76                          |                |               |                   |           | Miller.             |
| 4       | A bill to incorporate the Richmond and Newport Turnpike Company, - - -                                                                                                                                                                                                                                                                          | 9               | 76                          | 112            | 278           |                   | 325       | Holloway.           |
| 5       | A bill to exempt a homestead from forced sale in certain cases, - - -                                                                                                                                                                                                                                                                           | 9               | 77                          |                |               |                   |           | Stewart,            |
| 6       | A bill to exempt the county of Washington from the force and operation of the sixty-first section of the act entitled, "an act to provide for the continuation of all or any part of the public works of this State by private companies, and for abolishing the Board of Internal Improvements, and the offices of Fund Commissioner and Chief |                 |                             |                |               |                   |           |                     |

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|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|-----|-----|---|-----|-----------|
| 7  | Engineer, approved 28th January, 1842."                                                                                                                     | 14 | 79 | 112 | 228 | 2 | 244 | Morrison. |
| 8  | A bill to transfer certain cases now pending in the Harrison Circuit Court, to the Probate Court of said county, - - -                                      | 28 | 28 | 28  | 228 |   | 297 | Porter.   |
| 9  | A bill to incorporate the Richmond and Williamsburgh Turnpike Company, -                                                                                    | 28 | 79 | 112 | 420 |   | 586 | Holloway. |
| 10 | A joint-resolution in relation to the further extension of Slavery, - - -                                                                                   | 28 | 79 |     |     |   |     | Evans.    |
| 11 | A bill to incorporate the Columbus, Nashville, and Bloomington Railroad Company, -                                                                          | 29 | 79 | 85  | 242 |   | 325 | Adams.    |
| 12 | A bill to authorize the Secretary of State to send additional copies of the laws of the State to the county of Jay, - - -                                   | 29 | 79 | 79  | 228 |   | 325 | Milligan. |
| 13 | A bill to fix the time of holding Courts in the First Judicial Circuit and the Probate Court of Tippecanoe county, - - -                                    | 31 | 79 | 79  | 228 |   | 297 | Orth.     |
| 14 | A bill to authorize the election of township Assessors in the county of Jay, - -                                                                            | 31 | 79 | 112 | 564 |   |     | Milligan. |
| 15 | A bill to amend an act entitled, "an act creating the Tippecanoe Court of Common Pleas, and defining its jurisdiction," approved 18th, January, 1848, - - - | 31 | 31 | 31  | 420 |   | 572 | Orth.     |
| 16 | A bill to amend an act entitled, "an act to regulate foreign insurance agencies," approved 16th February, 1848, - - -                                       | 32 | 79 |     |     |   |     | Orth.     |
| 17 | A bill to amend the act incorporating the Harrison, New Trenton, Rochester, and Brookville Turnpike Company, - -                                            | 32 | 80 | 112 | 409 |   |     | McCarthy. |
|    | A joint-resolution in relation to slavery in the                                                                                                            |    |    |     |     |   |     |           |



| Number. | TITLE.                                                                                                                                                                                                                                              | First Reading. | Proceeding<br>before<br>Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom Introduced. |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 18      | newly acquired territories,<br>A bill to incorporate the Laporte Iron Manu-<br>facturing Company, - - -                                                                                                                                             | 42             | 80                               |                |               |                   |           | Millikin.           |
| 19      | A bill to amend an act entitled, "an act to<br>reduce the law incorporating the city of<br>Madison and the several acts amendatory<br>thereto, into one act, and to amend the<br>same," approved 14th February, 1848,                               | 42             | 80                               | 112            | 420           |                   | 572       | Osborn.             |
| 20      | A bill authorizing the establishment of addi-<br>tional Branches of the State Bank of Ind.,                                                                                                                                                         | 43             | 80                               | 112            | 450           |                   | 573       | Hendricks.          |
| 21      | A bill to authorize Patsey C. Paden to sell<br>certain real estate she inherited from her<br>father, - - -                                                                                                                                          | 52             | 52                               | 58             | 334           |                   | 372       | Harvey.             |
| 22      | A bill to construct a Railroad from Evansville<br>on the Ohio river, to connect with the Ohio<br>and Mississippi Railroad at or near Olney<br>in the State of Illinois, <i>viz.</i> Princeton, Gib-<br>son county, Indiana, to Mt. Carmel Illinois, | 52             | 80                               | 162            | 228           |                   | 325       | Miller.             |
| 24      | A bill to incorporate the trustees of the Green-                                                                                                                                                                                                    | 55             | 105                              | 117            | 166           |                   | 297       | James.              |

|    |                                                                                                                                                                                                                                                                                                                                                                                                       |    |     |     |     |  |     |           |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|--|-----|-----------|
| 24 | castle Female Collegiate Seminary, -                                                                                                                                                                                                                                                                                                                                                                  | 69 | 69  | 101 | 219 |  | 249 | Hamrick.  |
| 25 | A bill repealing an act therein named, -                                                                                                                                                                                                                                                                                                                                                              | 69 | 80  | 177 | 420 |  | 587 | Buckles.  |
| 26 | A bill to incorporate the Cross Plains and<br>Laughrey Creek Turnpike Company, -                                                                                                                                                                                                                                                                                                                      | 69 | 80  | 119 | 420 |  | 572 | Millikin. |
| 27 | A joint-resolution relative to the indepen-<br>dence of Liberia, - - -                                                                                                                                                                                                                                                                                                                                | 70 | 176 | 177 | 420 |  | 588 | Holloway. |
| 28 | A bill to amend the charter of the Indianapo-<br>lis and Bellefontain Railroad Company,<br>A bill to repeal an act entitled, "an act to<br>amend an act entitled an act supplemental<br>to an act, subjecting real and personal prop-<br>erty to execution, approved 11th Febru-<br>ary, 1843, and to revise the thirteenth arti-<br>cle of chapter forty, of the Revised Statutes<br>of 1843," - - - | 70 | 70  |     |     |  |     | Stewart.  |
| 29 | A bill to give effect to the last will and testa-<br>ment of Jane Parker, - - -                                                                                                                                                                                                                                                                                                                       | 70 | 70  |     |     |  |     | Hubbard.  |
| 30 | A bill fixing the time of holding the several<br>Circuit Courts in the Eleventh Judicial Cir-<br>cuits, - - -                                                                                                                                                                                                                                                                                         | 70 | 70  | 112 | 228 |  | 325 | James.    |
| 31 | A bill to amend an act entitled, "an act reg-<br>ulating the practice of law in the Allen<br>Circuit Court, and for other purposes," ap-<br>proved 15th January, 1844, - - -                                                                                                                                                                                                                          | 70 | 70  | 162 | 409 |  |     | Buckles.  |
| 32 | A joint-resolution on the subject of the ex-<br>tension of Slavery, - - -                                                                                                                                                                                                                                                                                                                             | 70 | 70  | 112 | 228 |  | 325 | Randall.  |
| 33 | A bill to provide for amending the practice<br>in the Supreme Court of this State, -                                                                                                                                                                                                                                                                                                                  | 71 | 71  |     |     |  |     | Martin.   |
| 34 | A bill to locate a State road in the counties                                                                                                                                                                                                                                                                                                                                                         | 71 | 80  |     |     |  |     | Randall.  |



BILLS AND JOINT RESOLUTIONS OF THE SENATE.

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| <i>Number.</i> | <i>TITLE.</i>                                                                                                                             | <i>First Reading.</i> | <i>Proceedings<br/>before<br/>Passage.</i> | <i>Passed Senate.</i> | <i>Passed House.</i> | <i>Other proceed'gs.</i> | <i>Approved.</i> | <i>By whom Introduced.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------|-----------------------|----------------------|--------------------------|------------------|----------------------------|
| 35             | of Decatur, Jennings, and Bartholomew,<br>A bill incorporating the Lafayette Plank<br>Road Company, - - - - -                             | 72                    | 72                                         | 130                   | 243                  |                          | 325              | Robinson.                  |
| 36             | A bill to regulate the salaries of the Presi-<br>dent Judges of the Circuit Courts of this<br>State, - - - - -                            | 73                    | 72                                         | 131                   | 264                  |                          |                  | Davis.                     |
| 37             | A Bill to regulate trials by jury in civil causes<br>as to make the decision of the majority the<br>verdict of the jury, - - - - -        | 73                    | 85                                         |                       |                      |                          |                  | Martin.                    |
| 38             | A Bill to authorize the election of Congres-<br>sional township Treasurer, and for other<br>purposes, in the county of Jay, - - - - -     | 73                    | 102                                        |                       |                      |                          |                  | Cornet.                    |
| 39             | A Bill to amend section sixty, of chapter thir-<br>ty-eight, of the revised laws of 1843, so<br>far as Jefferson county is concerned, - - | 73                    | 73                                         |                       |                      |                          |                  | Milligan.                  |
| 40             | A Bill incorporating the Dayton and Frank-<br>fort Plank Road Company, - - - - -                                                          | 73                    | 102                                        | 162                   | 420                  |                          | 573              | Hendricks.                 |
| 41             | A Bill to amend the law relative to costs in<br>appeals from justices of the peace, - -                                                   | 74                    | 74                                         | 112                   | 238                  |                          | 298              | Orth.                      |
|                |                                                                                                                                           | 74                    | 102                                        | 162                   |                      |                          |                  | Rousseau.                  |

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|    |                                                                                                                                                                           |    |     |     |     |  |     |             |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|--|-----|-------------|
| 42 | A Bill defining the duties of county Treasur-<br>ers in certain counties therein named, - -                                                                               | 75 | 75  | 101 | 243 |  | 572 | Osborn.     |
| 43 | A Bill to amend the Statute regulating the<br>granting of divorces, - - - - -                                                                                             | 75 | 102 | 162 |     |  |     | Harvey.     |
| 44 | A Bill to compel the venders of patent med-<br>icines to publish a label stating the mate-<br>rials of which the medicine is composed, -                                  | 76 | 102 |     |     |  |     | Hubbard.    |
| 45 | A bill authorizing David Moss to sell certain<br>stone in Hamilton county, - - - - -                                                                                      | 76 | 102 | 162 | 253 |  | 328 | Garver.     |
| 46 | A bill fixing the time of holding the courts in<br>the counties of Lake, Porter, and Laporte, -                                                                           | 76 | 76  | 134 | 191 |  | 249 | Osborn.     |
| 47 | A bill to incorporate the Lima Band, - - -                                                                                                                                | 76 | 102 | 112 | 409 |  | 571 | Martin.     |
| 48 | A bill authorizing the construction of Plank<br>Roads, - - - - -                                                                                                          | 76 | 76  | 164 | 420 |  | 572 | Orth.       |
| 49 | A bill relative to the Law Library, - - -                                                                                                                                 | 76 | 76  | 162 |     |  |     | Orth.       |
| 50 | A bill to authorize the establishment of a<br>ferry across the Wabash river, at the town<br>of Independence, - - - - -                                                    | 82 | 102 | 112 | 516 |  | 562 | Montgomery. |
| 51 | A bill to amend an act to amend and reduce<br>into one, the several acts relating to the<br>corporation of the town of Vevay, approv-<br>ed 28th January, 1846, - - - - - | 83 | 83  | 83  | 229 |  | 325 | Green.      |
| 52 | A joint-resolution relative to amendments in<br>the constitution, - - - - -                                                                                               | 84 | 84  |     |     |  |     | Morrison.   |
| 53 | A bill to incorporate the Fair Play Fire En-<br>gine and Hose Company, of the city of<br>Madison, - - - - -                                                               | 84 | 84  | 112 | 253 |  | 325 | Hendricks.  |
| 54 | A bill to amend the charter of the Peru and<br>Indianapolis Rail Road Company, - - -                                                                                      | 84 | 84  | 112 | 450 |  | 572 | Garver.     |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

610

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                                                               | <i>First Reading.</i> | <i>Proceedings<br/>before<br/>Passage.</i> | <i>Passed Senate</i> | <i>Passed House.</i> | <i>Other proceed'gs.</i> | <i>Approved</i> | <i>By whom Introduced.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------|----------------------|----------------------|--------------------------|-----------------|----------------------------|
| 55             | A bill to amend an act to incorporate the Fairfield Hydraulic Company, - - -                                                                                                                                | 84                    | 84                                         | 112                  | 409                  |                          | 325             | McCarty.<br>Taber.         |
| 56             | A bill to change the name of Emeline Grubb, - - -                                                                                                                                                           | 93                    | 93                                         | 118                  | 353                  |                          |                 |                            |
| 57             | A bill to legalize the sale of a certain school section therein named, - - -                                                                                                                                | 93                    | 93                                         | 118                  | 253                  |                          | 325             | Buckles.                   |
| 58             | A joint-resolution in relation to the right of way for a rail-way in Illinois, - - -                                                                                                                        | 95                    | 95                                         | 113                  | 229                  |                          | 244             | Henry.                     |
| 59             | A joint-resolution relative to the right of way of the Ohio and Mississippi Rail Road in Illinois, - - -                                                                                                    | 95                    | 95                                         | 113                  | 229                  |                          | 244             | Ellis.                     |
| 60             | A bill to provide for taking the sense of the qualified voters of this State, on the calling of a Convention to alter, revise, and amend the Constitution of this State, - - -                              | 95                    | 118, 245                                   | 270                  | 531                  |                          | 572             | Morrison.                  |
| 61             | A bill explanatory of the act prescribing the manner of assessing and paying taxes due upon the stock of individuals in the Madison and Indianapolis Rail Road Company, approved 16th February, 1848, - - - | 96                    | 96                                         | 96                   | 567                  |                          | 587             | Walpole.                   |

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|    |                                                                                                                                                                                                                      |     |     |     |     |  |     |           |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|-----------|
| 62 | A bill to legalize the location of a certain State road therein named, - - -                                                                                                                                         | 96  | 96  | 96  | 409 |  |     | Herod.    |
| 63 | A bill to amend the several acts now in force incorporating the town of Greensburg, - - -                                                                                                                            | 96  | 96  | 113 | 264 |  | 428 | Robinson. |
| 64 | A bill in relation to the highway tax in La-grange county, - - -                                                                                                                                                     | 96  | 96  | 118 | 409 |  |     | Martin.   |
| 65 | A bill to incorporate the Brookville and Fair-field Turnpike Company, - - -                                                                                                                                          | 96  | 96  | 158 | 253 |  | 428 | McCarty.  |
| 66 | A bill conferring power on citizens of incor-porated cities, towns, boroughs, and villa-ges, to cause suits to be instituted on by-laws and ordinances of such cities, towns, boroughs, and villages, - - -          | 96  | 96  |     |     |  |     | Walpole.  |
| 67 | A bill to repeal a part of article 7, of chapter 45, of the Revised Statutes of 1843. - - -                                                                                                                          | 96  | 96  |     |     |  |     | James.    |
| 68 | A bill to amend article 11, of chapter 12, of the Revised Statutes of 1843, - - -                                                                                                                                    | 97  | 97  |     |     |  |     | Davis.    |
| 69 | A bill to incorporate the United Protestant Evangelical congregation of the St. Zion church, Union township, Shelby county, Indiana, - - -                                                                           | 97  | 97  | 131 | 173 |  |     | Sleeth.   |
| 70 | A bill declaring the meaning of the 10th sec-tion of an act, approved 13th January, 1845, - - -                                                                                                                      | 97  | 97  |     |     |  |     | McCarty.  |
| 71 | A bill to authorize the Governor, Auditor, and Treasurer of State, to borrow a sum of money not exceeding ninety-five thou-sand dollars, to pay the interest on the funded debt on the first day of Jan. 1849, - - - | 109 | 126 | 127 | 152 |  | 258 | Dole.     |



BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

612

| Number. | TITLE.                                                                                                                             | First Reading. | Proceedings before Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom introduced. |
|---------|------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 72      | A bill to amend an act entitled "an act to incorporate the Crowfordsville and Wabash Railroad Company," approved 19 January, 1846. | 109            | 110                         | 110            | 253           |                   | 325       | Beard.              |
| 73      | A bill relative to the sale of school lands in Laporte county, and to amend article 13, chapter 13, of the revised statutes 1843.  | 110            | 119                         | 158            | 264           |                   | 325       | Osborn.             |
| 74      | A bill to repeal section 3, chapter 28, of the revised statutes of 1843, relative to contracts with Indians.                       | 110            | 119                         | 163            | 420           |                   | 572       | Orborn.             |
| 75      | A bill to incorporate the General Association of Baptists in Indiana.                                                              | 110            | 119                         | 163            | 253           |                   | 325       | Hendricks.          |
| 76      | A bill to define the jurisdiction of justices of the peace in the several counties therein named.                                  | 170            | 110                         | 100            | 352           |                   | 562       | Walpole.            |
| 77      | A bill for the relief of John and Sarah Wilson.                                                                                    | 111            | 119                         | 125            |               |                   |           | English.            |
| 78      | A bill for the relief of William Armstrong.                                                                                        | 111            | 111                         | 163            | 253           |                   |           | Orth.               |
| 79      | A bill to provide for the enforcement of the                                                                                       |                |                             |                |               |                   |           |                     |

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|    |                                                                                                                                       |     |     |     |     |     |             |
|----|---------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-------------|
| 80 | State debt act, and the act supplemental thereto.                                                                                     | 111 | 319 | 320 | 420 | 586 | Montgomery. |
| 81 | A bill to amend an act to revive an act to incorporate the city of Logansport, approved 13 January, 1845.                             | 114 | 114 | 114 | 126 | 228 | Taber.      |
| 82 | A bill to incorporate the Madison Marine Insurance Company.                                                                           | 116 | 116 | 163 | 309 | 428 | Hendricks.  |
| 83 | A bill to incorporate the Richmond Bridge and Turnpike Company.                                                                       | 116 | 116 | 163 | 420 | 572 | Holloway.   |
| 84 | A bill to regulate the jurisdiction of justices of the peace.                                                                         | 116 | 116 |     |     |     | Hendricks.  |
| 85 | A bill to incorporate the Rockport and Washington Railroad Company.                                                                   | 117 | 198 | 198 | 341 | 428 | Graham.     |
| 86 | A bill for the relief of Lavina Whisler.                                                                                              | 117 | 117 | 163 | 253 |     | Garver.     |
| 87 | A bill in relation to the New Albany and Salem Railroad Company.                                                                      | 117 | 150 |     | 334 | 428 | Davis.      |
| 88 | A bill to amend an act entitled "an act to authorize the construction of Plank or Coal Roads," approved 16 February, 1848.            | 117 | 117 | 163 | 364 | 428 | Osborn.     |
| 89 | A bill fixing the salaries of the Trustees of the Wabash and Erie Canal.                                                              | 127 | 159 | 178 |     |     | Robinson.   |
| 90 | A joint resolution authorizing an additional subscription by the State in the stock of the Madison and Indianapolis Railroad Company. | 129 | 129 | 158 | 575 | 586 | Ellis.      |
| 91 | A bill to increase the pay of the auditor of Hamilton county.                                                                         | 133 | 133 | 169 | 527 | 563 | Garver.     |
|    | A bill to extend the time of the sessions of the March and June terms of the board                                                    |     |     |     |     |     |             |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

| Number. | TITLE.                                                                                                                                            | First Reading. | Proceedings before Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom introduced. |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 91      | of commissioners of Knox county, - -<br>An act to authorize the voters of the county of Decatur to vote in any township in said county, - - - - - | 133            | 133                         | 164            | 575           |                   |           | Ellis.              |
| 93      | A joint resolution relative to colonizing the free people of color in the United States, - -                                                      | 134            | 164                         |                |               |                   |           | Robinson.           |
| 94      | A bill to amend an act to incorporate the White Water Valley Company, approved 20 January, 1842, and for other purposes, - -                      | 136            | 164                         |                |               |                   |           | Hendricks.          |
| 95      | A bill to compel the Trustees of the Wabash and Erie Canal to allow interest on canal land scrip, - - - - -                                       | 136            | 321                         | 322            |               |                   |           | Millikin.           |
| 96      | A joint resolution to authorize the purchase of the picture of Tippecanoe battle ground, - -                                                      | 145            | 145                         |                |               |                   |           | Cassatt.            |
| 97      | A bill to incorporate the Hillsborough horse thief detecting company, - - - - -                                                                   | 147            | 165                         | 170            | 575           |                   | 586       | Rousseau.           |
| 98      | A bill for the relief of the trustees of the Methodist Episcopal church in the town of Rockford, - - - - -                                        | 148            | 148                         | 148            | 575           |                   | 588       | Coats.              |
|         |                                                                                                                                                   | 148            | 148                         | 163            |               |                   | 586       | English.            |

|     |                                                                                                                                                                                                                    |     |     |     |     |  |     |              |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|--------------|
| 99  | A bill to amend the practice in the probate court in this State, in case of sale of land, - -                                                                                                                      | 152 | 152 |     |     |  | 572 | Hendricks.   |
| 100 | A bill to authorize the commissioners of Lawrence county to settle with the securities of William Hawkins, - - - - -                                                                                               | 152 | 152 | 152 | 575 |  | 588 | Osborn.      |
| 101 | A bill to authorize the President of the Sinking Fund Commissioners to execute patents and deeds in certain cases, - - - - -                                                                                       | 152 | 203 | 303 | 409 |  | 571 | Osborn.      |
| 102 | A bill to amend the law relative to actions on official bonds of certain officers, - - - -                                                                                                                         | 153 | 303 |     |     |  |     | Rousseau.    |
| 103 | A bill changing the mode of doing county business in the county of Orange, - - - - -                                                                                                                               | 153 | 153 | 163 | 450 |  | 562 | Huffstetter. |
| 104 | A bill to authorize the board of commissioners of Washington county to issue orders for the payment of the amount subscribed by said county to the capital stock of the New Albany and Salem Railroad Company, - - | 153 | 153 | 153 |     |  |     | Morrison.    |
| 105 | A bill for the relief of John Kromer, - - - -                                                                                                                                                                      | 155 | 198 | 198 | 575 |  | 586 | English.     |
| 106 | A bill to change a certain road therein named, - - - - -                                                                                                                                                           | 155 | 198 | 198 | 531 |  | 573 | Hamrick.     |
| 107 | A bill to incorporate the Washington Fire Company No. 2, - - - - -                                                                                                                                                 | 155 | 265 | 265 | 387 |  | 572 | Hendricks.   |
| 108 | A bill to authorize the auditor of Harrison county to execute a deed to William Goldsmith, of said county, - - - - -                                                                                               | 156 | 199 | 199 | 575 |  | 588 | Porter.      |
| 109 | A bill to repeal an act vacating Howard St. in west Richmond, - - - - -                                                                                                                                            | 156 | 199 | 199 |     |  |     | Holloway.    |
| 110 | A bill to establish a male and female institute in the city of Lawrenceburg, Dearborn county, Indiana, - - - - -                                                                                                   | 157 | 327 | 327 | 409 |  | 571 | Millikin.    |



BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

616

| Number. | TITLE.                                                                                                                   | First Reading. | Proceedings before passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom introduced. |
|---------|--------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 111     | A bill to incorporate the Fort Wayne Medical Society, - - - - -                                                          | 157            | 157                         | 170            | 575           |                   | 587       | Randall.            |
| 112     | A bill for the relief of H. K. Wright and Jacob Barcus, - - - - -                                                        | 157            | 157                         |                |               |                   |           | Coates.             |
| 113     | A bill authorizing certain persons therein named to build a mill dam across the west fork of White river, - - - - -      | 158            | 158                         |                |               |                   |           | Rousseau.           |
| 114     | A bill to incorporate the Franklin and White River Turnpike and Trust company, - - -                                     | 166            | 166                         | 176            | 516           |                   | 585       | Hardin.             |
| 115     | A bill to incorporate the Fort Wayne and Southern Railroad company, - - - - -                                            | 166            | 166                         | 263            | 387           |                   | 572       | Randall.            |
| 116     | A bill to incorporate the Winchester and Ft. Wayne Railroad company, - - - - -                                           | 177            | 310                         | 311            | 409           |                   | 428       | Milligan.           |
| 117     | A bill for the relief of Martin Fitzpatrick, - - - - -                                                                   | 178            | 178                         | 270            | 387           |                   |           | Rousseau.           |
| 118     | A bill for the benefit of Ohio and Indianapolis Railroad company, and changing the name and style of said company, - - - | 179            | 178                         | 270            | 453           |                   | 572       | Read.               |
| 119     | A bill appointing commissioners in the case of Morehead, Hall & Co., - - - - -                                           | 180            | 180                         |                |               |                   |           | Orth.               |

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|     |                                                                                                                                                       |     |     |     |     |  |     |           |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|-----------|
| 120 | A bill to incorporate the Fort Wayne and Bluffton Turnpike Co., - - - - -                                                                             | 180 | 180 | 220 | 453 |  | 586 | Randall.  |
| 121 | A joint resolution to authorize the Agent of State to negotiate with Bondholders relative to the payment of the interest on the State debt, - - - - - | 183 | 183 |     |     |  |     | Morrison. |
| 122 | A bill to require notice in all cases of application to the Legislature for the amendment of municipal charters, - - - - -                            | 186 | 186 |     |     |  |     | Ellis.    |
| 123 | A bill to incorporate the Indiana Fire and Marine Insurance Co., - - - - -                                                                            | 186 | 280 | 290 | 531 |  | 573 | Stewart.  |
| 124 | A bill to repeal a part of the 3d article of the 31st chapter of the Revised Statutes of 1843, - - - - -                                              | 187 | 187 |     |     |  |     | Hubbard.  |
| 125 | A bill to amend an act incorporating the Brookville and West Union Turnpike company, - - - - -                                                        | 187 | 187 | 187 | 575 |  | 586 | McCarty.  |
| 126 | A bill more effectually to prevent retailing spirituous liquors, - - - - -                                                                            | 187 | 187 | 220 | 575 |  | 586 | Robinson. |
| 127 | A bill to incorporate the Great Western Insurance company in the county of Marion, State of Indiana, - - - - -                                        | 187 | 187 |     |     |  |     | Stewart.  |
| 128 | A bill to incorporate the Shelbyville arm of the Shelbyville and Edinburgh Lateral Branch Railroad company, - - - - -                                 | 187 | 187 | 220 | 527 |  | 563 | Sleeth.   |
| 129 | A bill to incorporate the Lawrenceburgh and Aurora Bridge company, - - - - -                                                                          | 187 | 187 | 265 | 387 |  |     | Millikin. |
| 130 | A bill to repeal an act entitled "an act to amend the 1st article of the 53d chapter of                                                               |     |     |     |     |  |     |           |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

618

| Number. | TITLE.                                                                                                                  | First Reading. | Proceeding before Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom Introduced. |
|---------|-------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 131     | the Revised Laws of 1843, and for other purposes," approved 19th January, 1846,                                         | 187            | 187                        |                |               |                   |           | Robinson.           |
| 132     | A bill to amend the charter of the Indianapolis and Bellefontaine Railroad,                                             | 188            | 188                        | 220            |               |                   |           | Buckles.            |
| 133     | A bill to authorize county Treasurers to receive notes of the six and one-fourth per cent. treasury notes,              | 188            | 188                        |                |               |                   |           | Read.               |
| 134     | A bill in relation to the election of justices of the peace in Fairfield township in Tippecanoe county,                 | 188            | 188                        | 188            | 219           | 255               |           | Orth.               |
| 135     | A bill relative to the execution of decrees in chancery,                                                                | 188            | 199                        | 199            | 575           |                   | 586       | Orth.               |
| 136     | A bill to authorize the Commissioners of Porter county to employ a physician for the poor,                              | 188            | 188                        | 199            | 575           |                   | 586       | Osborn.             |
| 137     | A joint resolution in relation to certain official documents connected with the conduct of the Second Indiana Regiment, | 188            | 188                        | 188            | 531           |                   | 562       | Miller.             |
|         | A bill more effectually to protect the property of married women,                                                       | 192            | 192                        |                |               |                   |           | Miller.             |

619

|     |                                                                                                                                                                                                                                 |     |     |     |     |  |     |            |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|------------|
| 138 | A bill to revise and consolidate the several acts of the General Assembly in relation to laying out, opening, repairing, changing, and vacating public highways, and the erection and repair of bridges, and to amend the same, | 244 | 337 | 339 | 495 |  | 587 | Miller.    |
| 139 | A bill for the relief of William C. A. Bain,                                                                                                                                                                                    | 246 | 246 | 246 | 387 |  |     | English.   |
| 140 | A bill for the relief of James Vawter,                                                                                                                                                                                          | 247 | 247 |     |     |  |     | Hubbard.   |
| 141 | A bill explanatory of sections 13, 18, and 22, of the Revised Statutes of 1843,                                                                                                                                                 | 249 | 249 |     |     |  |     | Cassatt.   |
| 142 | A bill amendatory of an act entitled "an act incorporating the Lafayette and Danville Railroad company,"                                                                                                                        | 250 | 330 |     |     |  |     | Orth.      |
| 143 | A bill to incorporate the Laurel and Blooming Grove Turnpike company,                                                                                                                                                           | 250 | 250 | 330 | 409 |  |     | McCarty.   |
| 144 | A bill to locate a State road in Jefferson and Ripley counties,                                                                                                                                                                 | 253 | 311 | 311 | 409 |  | 571 | Hendricks. |
| 145 | A bill to legalize the acts of the assessors, auditors, and treasurers, of Lagrange county,                                                                                                                                     | 258 | 258 | 258 |     |  |     | Martin.    |
| 146 | A bill to amend an act incorporating the town of Mooresville,                                                                                                                                                                   | 258 | 258 |     |     |  |     | Conduit.   |
| 147 | A bill to change the names of the towns of Columbia and Smithland, and for other purposes,                                                                                                                                      | 258 | 259 | 259 | 387 |  |     | Miller.    |
| 148 | A bill authorizing the Auditor of Laporte and St. Joseph counties to make deeds in certain cases,                                                                                                                               | 259 | 259 | 259 | 387 |  |     | Osborn.    |
| 149 | A bill to authorize the erection of dams in the                                                                                                                                                                                 |     |     | 259 | 510 |  | 562 |            |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

620

| <i>Number.</i> | <i>TITLE.</i>                                                                                                            | <i>First Reading.</i> | <i>Proceedings<br/>before<br/>Passage.</i> | <i>Passed Senate.</i> | <i>Passed House.</i> | <i>Other proceed'gs.</i> | <i>Approved.</i> | <i>By whom Introduced.</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------|-----------------------|----------------------|--------------------------|------------------|----------------------------|
| 150            | Wabash River and its tributaries above the Delphi dam, - - - - -                                                         | 259                   | 259                                        | 513                   | 564                  |                          | 585              | Taber.                     |
| 151            | A bill for the relief of Robert Kennedy and Adam Hartman, - - - - -                                                      | 259                   | 259                                        | 259                   | 387                  |                          |                  | Day.                       |
| 152            | A bill amendatory of the act incorporating the Junction Railroad Company, - -                                            | 260                   | 260                                        | 260                   | 387                  |                          |                  | Simpson.                   |
| 153            | A bill for the relief of Thomas Faris of Du-bois county, - - - - -                                                       | 261                   | 261                                        |                       |                      |                          |                  | Houghton.                  |
| 154            | A bill to regulate the jurisdiction of justices of the peace in Jefferson, Rush, Union, and Jennings counties, - - - - - | 262                   | 262                                        | 262                   | 510                  |                          | 562              | Hendricks.                 |
| 155            | "An act to require the Bank to continue specie payments, and to enable it to maintain them," approved Feb. 13, 1843, -   | 262                   | 262                                        |                       |                      |                          |                  | Stewart.                   |
| 156            | A bill to change the name of John F. Brown to that of John Floyd, - - - - -                                              | 262                   | 263                                        | 263                   | 387                  |                          |                  | Adams.                     |
|                | A bill for the better observance of the Sabbath, - - - - -                                                               | 263                   | 263                                        |                       |                      |                          |                  | Robinson.                  |

621

|     |                                                                                                                                                      |     |     |     |     |  |     |            |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|------------|
| 157 | A bill to amend section 38 of chapter 19 of Revised Statutes of 1843, and for other purposes, so far as relates to the county of Lawrence, - - - - - | 263 | 263 | 295 | 387 |  | 428 | Malott.    |
| 158 | A bill concerning the Lafayette and Indianapolis Railroad Company, - - - - -                                                                         | 263 | 297 | 297 | 450 |  | 572 | Orth.      |
| 159 | A bill to define the duties of executors and administrators in certain cases, - - - -                                                                | 263 | 263 |     |     |  |     | Garver.    |
| 160 | A bill to incorporate the Indiana Council No. 1, of the Order of United American Mechanics, - - - - -                                                | 263 | 330 | 330 | 409 |  | 571 | Hendricks. |
| 161 | A bill respecting attorneys at law, - - -                                                                                                            | 263 | 263 | 263 | 531 |  | 562 | Millikin.  |
| 162 | A bill to establish a seal for county recorders, and for other purposes, - - - - -                                                                   | 264 | 264 |     |     |  |     | Garver.    |
| 163 | A bill for the relief of Charlotte Slaughter of the county of Morgan, - - - - -                                                                      | 267 | 267 | 394 |     |  |     | Conduit.   |
| 164 | A bill to amend an act in relation to the sale of real estate by executors and administrators, approved Jan. 13, 1845, - -                           | 267 | 267 | 511 | 574 |  | 587 | Orth.      |
| 165 | A bill to repeal the 336th section of the 12th article of chapter 40 of the Revised Statutes of 1843, - - - - -                                      | 268 | 268 |     |     |  |     | Robinson.  |
| 166 | A bill to amend an act entitled "An act to incorporate the Madison and Napoleon Turnpike Company," - - - - -                                         | 268 | 318 |     |     |  |     |            |
| 167 | A bill to amend section 427, chapter 30, Revised Statutes of 1843, - - - - -                                                                         | 268 | 268 | 318 | 420 |  | 572 | Hendricks. |
| 168 | A bill to authorize the county commissioners of the several counties in the tenth judicial                                                           | 268 | 268 |     |     |  |     | Millikin.  |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

622

| Number. | TITLE.                                                                                                                                                                              | First Reading. | Proceedings before Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom Introduced. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 169     | circuit to make an allowance to prosecuting attorneys,                                                                                                                              | 268            | 268                         | 456            |               |                   |           | Adams.              |
| 170     | A bill to amend the 30th chapter of article 8 of Revised Statutes of 1843,                                                                                                          | 268            | 268                         | 434            |               |                   |           | Huffstetter.        |
| 171     | A bill to amend an act in relation to the New Albany and Vincennes Road,                                                                                                            | 277            | 314                         | 315            | 409           |                   |           | Houghton.           |
| 172     | A bill to regulate the fees and emoluments of the auditors and treasurers of Lagrange and Steuben counties,                                                                         | 277            | 294                         | 294            | 510           |                   |           | Martin.             |
| 173     | A bill allowing county treasurers mileage for the collection of delinquent taxes,                                                                                                   | 285            | 285                         |                |               |                   |           | Hendricks.          |
| 174     | A bill to amend an act, entitled "An act to authorize county auditors to sell lands at private sale which have been bid in for the use of the school fund," approved Jan. 28, 1847, | 292            | 292                         | 303            | 321           |                   |           | Beard.              |
|         | A bill to provide for the appointment of overseers of the poor in the county of Gibson,                                                                                             | 292            | 292                         | 292            | 387           |                   | 428       | Miller.             |

623

|     |                                                                                                                                       |     |     |     |     |  |     |              |
|-----|---------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|--------------|
| 175 | A bill to repeal an act therein named relating to St. Joseph county,                                                                  | 293 | 292 | 292 | 387 |  | 428 | Day.         |
| 176 | A bill to amend an act, entitled "An act to provide for the construction of a Railway in Laporte county," approved February 11, 1843, | 292 | 333 | 333 | 409 |  | 571 | Osborn.      |
| 177 | A bill to legalize certain proceedings in the Dearborn circuit court,                                                                 | 292 | 293 | 293 | 387 |  | 428 | Millikin.    |
| 178 | A bill to reduce the expenses of the circuit court in the counties of Green and Brown, and for other purposes,                        | 293 | 293 | 293 | 510 |  | 562 | Rousseau.    |
| 179 | A bill relative to the practice in the probate courts,                                                                                | 293 | 293 | 293 | 581 |  | 561 | Graham.      |
| 180 | A bill to legalize the marriage of Thomas and Elizabeth Berry, late of Marion county,                                                 | 293 | 293 | 293 |     |  |     | Walpole.     |
| 181 | A bill to change the mode of selecting grand jurors in the county of Orange,                                                          | 293 | 293 | 293 | 387 |  | 428 | Huffstetter. |
| 182 | A bill to authorize payment for grading and gravelling Tennessee and Market streets opposite the State's property,                    | 293 | 293 | 293 |     |  |     | Stewart.     |
| 183 | A bill authorizing the re-appraisement of certain school lands in Clinton county,                                                     | 296 | 296 | 296 | 387 |  |     | Waters.      |
| 184 | A bill to amend an act, entitled "An act for the relief of Victor A. Pepin, of the county of Floyd," approved Dec. 30, 1846,          | 304 | 304 | 304 | 409 |  |     | Davis.       |
| 185 | A bill for the relief of Rachel Loyd, of Floyd county,                                                                                | 304 | 304 | 304 | 409 |  |     | Davis.       |
| 186 | A bill supplementary to an act, entitled "An act to incorporate the Grand and Subordi-                                                |     |     |     |     |  |     |              |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

624

| Number. | TITLE.                                                                                                           | First Reading. | Proceedings before Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom Introduced. |
|---------|------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 187     | nate Divisions of the Sons of Temperance,"                                                                       | 305            | 330                         | 331            | 409           |                   |           | Holloway.           |
| 188     | A bill to record the survey of a State road in Ripley county,                                                    | 305            | 305                         | 305            | 420           |                   | 572       | McCarty.            |
| 189     | A bill establishing the salaries of the Auditor and Treasurer of Jay county, and the Recorder of Steuben county, | 312            | 312                         | 312            | 409           |                   |           | Millikin.           |
| 190     | A bill relative to canal land scrip,                                                                             | 315            | 316                         | 401            |               |                   |           | Cassatt.            |
| 191     | A bill extending the time of holding probate courts in the county of Monroe,                                     | 316            | 316                         | 316            | 410           |                   |           | Adams.              |
| 192     | A bill to incorporate the Madison Iron Manufacturing Company,                                                    | 316            | 316                         | 316            | 410           |                   | 571       | Hendricks.          |
| 193     | A bill to amend an act entitled, "an act to incorporate the Mooresville Branch Rail Road Company,"               | 316            | 316                         | 316            | 420           |                   | 572       | Conduit.            |
| 194     | A bill to amend an act entitled, "an act to incorporate the city of Richmond,"                                   | 316            | 316                         | 316            | 410           |                   |           | Holloway.           |
|         | A bill for the relief of Enoch Rinehart of Carroll county,                                                       | 318            | 318                         | 319            | 575           |                   | 586       | Waters.             |

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|     |                                                                                                                                                                                                               |     |     |     |     |  |     |             |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|-------------|
| 195 | A bill for the relief of the estate of Noah Noble, deceased,                                                                                                                                                  | 319 | 319 |     |     |  |     | Stewart.    |
| 196 | A bill to authorize the county Commissioners of Lake county to restrain hogs from running at large,                                                                                                           | 329 | 329 | 329 | 410 |  |     | Miller.     |
| 197 | A bill to repeal so much of an act entitled, "an act to encourage the raising of sheep and hogs, and to increase the revenue of the State, and the wealth of the people," as relates to the county of Jasper, | 332 | 332 | 332 | 387 |  | 428 | Montgomery. |
| 198 | A bill declaring certain laws relative to roads and highways, to be in force in Lawrence county,                                                                                                              | 333 | 333 | 333 | 410 |  | 572 | Malott.     |
| 199 | A bill to incorporate the Williamsburg and Economy Turnpike Company,                                                                                                                                          | 333 | 333 | 333 | 410 |  |     | Holloway.   |
| 200 | A bill to amend an act incorporating the Logansport and Rochester Michigan Road Company, approved 16th January, 1846.                                                                                         | 335 | 335 | 335 | 410 |  |     | Taber.      |
| 201 | A bill further to amend an act entitled, "an act to incorporate the town of Columbus, Bartholomew county, Indiana, approved 6th February, 1839,                                                               | 335 | 335 | 335 | 420 |  | 572 | Herod.      |
| 202 | A bill to dissolve the banns of matrimony between Robert Hardesty and Ellen Hardesty,                                                                                                                         | 335 | 335 | 335 |     |  |     | Simpson.    |
| 203 | A bill prescribing the practice in the circuit courts in cases of appeals from the award of the appraisers appointed to assess damages to claimants for materials taken for                                   |     |     |     |     |  |     |             |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

626

| <i>Number.</i> | <i>TITLE.</i>                                                                                                            | <i>First Reading.</i> | <i>Proceedings<br/>before<br/>Passage.</i> | <i>Passed Senate.</i> | <i>Passed House.</i> | <i>Other proceed'gs.</i> | <i>Approved.</i> | <i>By whom Introduced.</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------|-----------------------|----------------------|--------------------------|------------------|----------------------------|
| 204            | or land injured, by the construction of the Wabash and Erie Canal, - - -                                                 | 336                   | 336                                        | 351                   |                      |                          |                  | Henry.                     |
| 205            | A bill fixing the compensation, and defining the duties of the Prosecuting Attorney of Hancock county, - - -             | 336                   | 336                                        | 336                   | 509                  |                          | 585              | Walpole.                   |
| 206            | A bill to incorporate the Madison and Cross Plains Turnpike Company, - - -                                               | 336                   | 336                                        | 336                   | 410                  |                          |                  | Hendricks.                 |
| 207            | A bill for the relief of George N. Wait, - - -                                                                           | 336                   | 336                                        | 394                   | 410                  |                          |                  | Hendricks.                 |
| 208            | A bill relative to Rail Roads, - - -                                                                                     | 337                   | 337                                        | 337                   |                      |                          |                  | Beard.                     |
|                | A bill for the relief of certain labourers on the Central Canal for work done in 1847, and '48, - - -                    | 339                   | 339                                        | 339                   | 410                  |                          |                  | Walpole.                   |
| 209            | A bill to amend article 1, of chapter 35, of Revised Statutes of 1843, - - -                                             | 339                   | 339                                        | 394                   |                      |                          |                  | Robinson.                  |
| 210            | A bill amending sections 48, 49, and 50, of chapter 29, of the Revised Statutes of 1843, - - -                           | 340                   | 340                                        |                       |                      |                          |                  | Osborn.                    |
| 211            | A bill to amend an act entitled, "an act to amend the practice in the probate court," approved 28th January, 1847, - - - | 340                   | 340                                        |                       |                      |                          |                  | Dole.                      |

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|     |                                                                                                                                                                                                          |     |     |     |     |     |                   |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-------------------|
| 212 | A bill for the extension of Illinois street, in the city of Indianapolis, - - -                                                                                                                          | 340 | 340 | 340 | 410 | 428 | Beard.            |
| 213 | A bill amendatory of an act entitled, "an act to establish a levee from the town of Vincennes, through the lower prairie, near the Wabash river, to the Grand Coulee," approved 2d February, 1833, - - - | 344 | 344 | 344 | 574 | 588 | Ellis.            |
| 214 | A bill for the relief of John Zulanf, - - -                                                                                                                                                              | 344 | 344 |     |     |     | Ellis.            |
| 215 | A bill to incorporate the Ohio, Indiana, and Lake Michigan Rail Road Company, - - -                                                                                                                      | 345 | 345 | 394 | 530 | 587 | Randall.          |
| 216 | A bill to locate a State road in the counties of Jasper, White, and Tippecanoe, - - -                                                                                                                    | 346 | 346 | 370 | 528 | 573 | Orth.             |
| 217 | A bill to suppress professional gambling, - - -                                                                                                                                                          | 346 | 346 | 346 |     |     | Robinson.         |
| 218 | A bill to revive an act entitled, "an act to incorporate the Fort Wayne and Plymouth Turnpike Company, approved 10th January, 1846," - - -                                                               | 346 | 346 |     |     |     | Day of Kosciusko. |
| 219 | A bill to amend the statute providing for the taking a change of venue in criminal cases, - - -                                                                                                          | 346 | 346 | 346 | 528 | 562 | Harvey.           |
| 220 | A bill to incorporate the Brookville and Milroy Turnpike Company, - - -                                                                                                                                  | 346 | 346 | 369 |     | 587 | McCarty.          |
| 221 | A bill to incorporate the Richmond and Middleborough Turnpike Company, - - -                                                                                                                             | 347 | 347 | 347 | 530 | 561 | Holloway.         |
| 222 | A bill to amend the charter of the Jeffersonville Association, - - -                                                                                                                                     | 347 | 347 | 347 | 528 | 573 | Read.             |
| 223 | A bill to incorporate the Indianapolis and Danville Rail Road Company, - - -                                                                                                                             | 347 | 347 | 368 | 528 | 573 | Harvey.           |
| 224 | A bill for the relief of Joseph I. Stretcher, etc. - - -                                                                                                                                                 | 347 | 347 |     |     |     | Stewart.          |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

628

| Number. | TITLE.                                                                                                                                                                                                | First Reading. | Proceedings<br>before<br>Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom introduced. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 225     | A bill authorizing Thomas D. Gregg to borrow money, - - - - -                                                                                                                                         | 347            | 347                               |                |               |                   |           | Stewart,            |
| 226     | A bill directing the Secretary of State to make patents to certain Michigan Road Lands, - - - - -                                                                                                     | 348            | 348                               | 504            | 564           |                   | 586       | Stewart,            |
| 227     | A bill declaratory of the meaning of a certain act therein named, - - - - -                                                                                                                           | 348            | 348                               | 504            | 528           |                   | 573       | Harvey,             |
| 228     | A bill to unite the Mount Carmel and New Albany Railroad Company and the Mount Carmel and Alton Railroad Company, by the name of the Mount Carmel, Alton, and New Albany Rail Road Company, - - - - - | 348            | 348                               |                |               |                   |           |                     |
| 229     | A bill to amend an act to incorporate the Ohio and Mississippi Rail Road Company, - - - - -                                                                                                           | 349            | 349                               | 351            | 531           |                   | 572       | Porter,             |
| 230     | A bill to prevent the consolidation of indictments in certain cases, in Hamilton county, - - - - -                                                                                                    | 349            | 349                               | 349            | 494           |                   | 572       | Ellis,              |
| 231     | A bill to incorporate the Milair and Manchester Turnpike Company, - - - - -                                                                                                                           | 349            | 349                               | 349            | 528           |                   | 572       | Garver,             |
| 232     | A bill to incorporate the Northern Plank Road Company, - - - - -                                                                                                                                      | 357            | 357                               | 357            | 528           |                   |           | Millikin,           |
|         |                                                                                                                                                                                                       | 357            | 357                               | 357            | 528           |                   | 586       | Martin,             |

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|     |                                                                                                                                                                                                                                  |     |     |     |     |  |     |                   |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|-------------------|
| 233 | A bill to change the time of the meeting of the General Assembly of this State, from the first Monday in December, to the first Monday in January, - - - - -                                                                     | 357 | 358 | 426 | 528 |  | 573 | Orth,<br>Cassatt, |
| 234 | An act to incorporate the town of Wabash, - - - - -                                                                                                                                                                              | 363 | 363 | 363 | 528 |  | 562 | Davis,            |
| 235 | A bill to incorporate the Ohio Insurance Company, - - - - -                                                                                                                                                                      | 363 | 363 |     |     |  | 561 | Garver,           |
| 236 | A bill to establish an additional place for holding elections in the township of Delaware, in Hamilton county, - - - - -                                                                                                         | 363 | 363 | 363 | 528 |  |     | Porter,           |
| 237 | A bill to amend section 165 and 166, of chapter 12, of Revised Statutes of 1843, - - - - -                                                                                                                                       | 367 | 367 |     |     |  |     |                   |
| 238 | A bill to revive the law authorizing assessment of a tax on real estate in Morgan county, for road purposes, - - - - -                                                                                                           | 370 | 370 | 370 | 564 |  | 586 | Conduit,          |
| 239 | A bill to incorporate the Wild Cat Bridge Company, - - - - -                                                                                                                                                                     | 370 | 371 | 390 | 530 |  | 573 | Orth,             |
| 240 | A bill to incorporate the Indiana Mining Company, - - - - -                                                                                                                                                                      | 374 | 374 | 374 | 528 |  | 573 | Stewart,          |
| 241 | A bill to amend section 89, of article 7, of chapter 12, of the Revised Statutes of 1843, - - - - -                                                                                                                              | 375 | 375 | 375 | 528 |  | 573 | Day, (of St. Jo.) |
| 242 | A bill to extend the provisions of a certain act therein named, - - - - -                                                                                                                                                        | 375 | 375 | 502 |     |  |     | Harvey,           |
| 243 | A bill to amend an act entitled "An act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors, so far as the same relates to the county of Wabash, - - - - -" | 375 | 375 |     |     |  |     |                   |
| 244 | A bill to authorize the Board of Commission-                                                                                                                                                                                     | 375 | 375 | 375 | 528 |  | 562 | Cassatt,          |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

630

| Number. | TITLE.                                                                                                                          | First Reading. | Proceedings<br>before<br>Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom introduced. |
|---------|---------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------|----------------|---------------|-------------------|-----------|---------------------|
|         | ers of Monroe county, to make additional allowance to the Probate judge of said county, - - - - -                               | 375            | 375                               | 376            | 515           |                   | 562       | Adams,              |
| 245     | A joint resolution in relation to the Indianapolis and Peru Railroad, - - - - -                                                 | 376            | 376                               | 376            | 528           |                   | 573       | Cassatt,            |
| 246     | A joint resolution relative to the Terre Haute Drawbridge Company, - - - - -                                                    | 376            | 376                               |                |               |                   |           | Ellis,              |
| 247     | A joint resolution in relation to the improvement of the Kankakee and Iroquois rivers, in the States of Indiana and Illinois, - | 380            | 380                               |                | 530           |                   | 562       | Osborn,             |
| 248     | A joint resolution on the subject of Mary Griffith, an Indian woman, transferring her land, - - - - -                           | 380            | 380                               | 380            | 530           |                   | 562       | Montgomery,         |
| 249     | A bill to authorize the County Commissioners of Cass county to increase the highway tax in said county, - - - - -               | 380            | 380                               | 380            |               |                   |           | Taber,<br>Harvey,   |
| 250     | A bill to authorize merchants to vend clocks, - - - - -                                                                         | 380            | 380                               | 380            |               |                   |           | Hubbard,            |
| 251     | A bill to amend an act entitled "An act to incorporate the Fairview Academy, in Rush Co., -                                     | 381            | 381                               | 381            | 528           |                   | 573       |                     |

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|     |                                                                                                                      |     |         |     |     |  |     |            |
|-----|----------------------------------------------------------------------------------------------------------------------|-----|---------|-----|-----|--|-----|------------|
| 252 | A bill to amend an act entitled "An act to incorporate the Wayne Turnpike Company," -                                | 381 | 381     | 381 | 528 |  |     | Holloway,  |
| 253 | A bill defining the duty of the Board of Commissioners of the county of Monroe, -                                    | 381 | 381     | 381 | 530 |  | 561 | Adams,     |
| 254 | A bill to regulate agencies of Foreign Insurance Companies, - - - - -                                                | 381 | 382     |     |     |  |     | Stewart,   |
| 255 | A bill for the relief of Roswell Langdon of Perry county, - - - - -                                                  | 382 | 382     | 382 | 530 |  | 573 | Graham,    |
| 256 | A bill to locate a State road in the counties of Fountain and Tippecanoe, - - - - -                                  | 382 | 382     | 382 | 528 |  | 562 | Hardin,    |
| 257 | A bill to amend an act entitled "An act to incorporate the Madison and Napoleon Turnpike Company, - - - - -          | 382 | 382     |     |     |  | 573 | Hendricks, |
| 258 | A bill to authorize the transfer of cases pending in the probate to the circuit courts, -                            | 382 | 382     | 383 | 528 |  | 562 | Hendricks, |
| 259 | A bill to increase the pay of the probate judges of certain counties therein named, - - -                            | 383 | 383     | 383 | 516 |  | 562 | Hendricks, |
| 260 | A bill in relation to issuing and returning of execution, - - - - -                                                  | 384 | 383 481 |     |     |  |     | Henry,     |
| 261 | A bill to amend an act entitled an "act to incorporate the city of Richmond," - - -                                  | 384 | 384     |     |     |  |     | Holloway,  |
| 262 | A bill to improve the breed of horses in the county of Randolph, - - - - -                                           | 384 | 384     |     | 528 |  | 573 | Milligan,  |
| 263 | A bill to authorize Wilson J. Way and Hannah Way to file a bill in chancery in the Randolph Circuit Court, - - - - - | 384 | 384     |     |     |  |     | Milligan,  |
| 264 | A bill on the subject of the Wabash and Erie Canal lands, East and West of Tippecanoe, and for other purposes, - - - | 384 | 385     | 426 |     |  |     | Waters,    |



BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

632

| Number. | TITLE.                                                                                                                                                 | First Readings. | Proceedings before Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom Introduced. |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 265     | A bill for the relief of the heirs of Seth Bacon, deceased, - - - - -                                                                                  | 385             | 385                         | 385            | 516           |                   | 563       | Waters.             |
| 266     | A bill relative to a bridge over Deer Creek, in Carroll county, - - - - -                                                                              | 385             | 385                         | 385            |               |                   |           | Waters.             |
| 267     | A bill relative to fees of officers of Henry co., - - - - -                                                                                            | 385             | 385                         |                |               |                   |           | Sleeth.             |
| 268     | A bill to change the name of Emanuel Wise, to Emanuel Wise Stafford, - - - - -                                                                         | 405             | 405                         | 405            | 531           |                   | 573       | Conduit.            |
| 269     | A bill relative to the Probate Judge of La-porte county, - - - - -                                                                                     | 429             | 429                         | 429            |               |                   | 563       | Davis.              |
| 270     | A bill to amend an act entitled an act to incorporate the town of Patriot, in Switzerland county, and declare certain misprints in said act, - - - - - | 429             | 429                         | 429            |               |                   | 563       | Green.              |
| 271     | A joint resolution in relation to soldiers of the late war with Great Britain, - - - - -                                                               | 434             | 434                         | 435            | 531           |                   | 563       | Rousseau.           |
| 272     | A bill for the relief of Robert B. Duncan, of Marion county, - - - - -                                                                                 | 435             | 435                         | 435            |               |                   |           | Huffstetter.        |
| 273     | A bill authorizing the sale of certain Sinking Fund lands, - - - - -                                                                                   | 435             | 435                         | 435            | 577           |                   | 586       | Davis.              |

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|     |                                                                                                                                                         |     |     |     |     |  |     |            |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|------------|
| 274 | A bill to amend the estray laws, - - - - -                                                                                                              | 436 | 435 | 435 |     |  |     | Waters.    |
| 275 | A bill to amend the act to authorize the people of the several counties to prohibit the retailing of spirituous liquors, - - - - -                      | 441 | 441 | 441 | 584 |  |     | Robinson.  |
| 276 | A bill to amend an act entitled an act to incorporate the town of Bloomington, in the county of Monroe, - - - - -                                       | 442 | 442 | 442 | 531 |  | 561 | Adams.     |
| 277 | A bill for the relief of the heirs of Samuel Goldsberry, deceased, - - - - -                                                                            | 442 | 442 | 442 | 531 |  | 563 | Adams.     |
| 278 | A to incorporate the Waveland Academy, in Montgomery county, - - - - -                                                                                  | 442 | 442 | 442 | 531 |  | 585 | Beard.     |
| 279 | A bill to incorporate the Lagro, Marion and Jonesboro Plank Road Company, - - - - -                                                                     | 442 | 442 | 442 | 531 |  | 586 | Cassatt.   |
| 280 | A bill allowing grace on all bills of exchange, - - - - -                                                                                               | 442 | 442 | 442 |     |  | 562 | Davis.     |
| 281 | A bill to amend an act entitled an act to require certain Statutes to be published in some newspaper at Indianapolis, and for other purposes, - - - - - | 442 | 442 | 442 |     |  |     |            |
| 282 | A bill to incorporate the Grand and Subordinate Temples of Honor of the State of Indiana, - - - - -                                                     | 443 | 443 | 443 | 531 |  | 587 | Davis.     |
| 283 | A bill to incorporate the Newburgh Cotton Mill, - - - - -                                                                                               | 443 | 443 | 443 | 531 |  |     | Dole.      |
| 284 | A bill to legalize certain roads in Jefferson county, - - - - -                                                                                         | 443 | 443 | 443 | 531 |  | 561 | Graham.    |
| 285 | A bill fixing the time of holding the February and August terms of the Hancock Probate Court, - - - - -                                                 | 443 | 443 | 443 | 531 |  | 562 | Hendricks. |
| 286 | A joint resolution relative to the Scrip ac-                                                                                                            | 443 | 443 | 443 | 531 |  | 562 | Walpole.   |



| Number. | TITLE.                                                                                                                                                                                                                                           | First Reading. | Proceedings<br>before<br>Passage. | Passed Senate. | Passed House. | Other proceed'gs. | Approved. | By whom Introduced. |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------|----------------|---------------|-------------------|-----------|---------------------|
| 287     | count between the State of Indiana and the Trustees of the Wabash and Erie Canal, - - - - -                                                                                                                                                      | 454            | 454                               | 454            | 575           |                   | 586       | Randall.            |
| 288     | A bill authorizing the trustees of school district number 13, in township 36, North, range 3, West, in Laporte county, to levy a tax to build a school house, - - - - -                                                                          | 454            | 454                               | 454            |               |                   | 562       | Davis.              |
| 289     | A bill in relation to school houses in Dearborn county, - - - - -                                                                                                                                                                                | 455            | 455                               | 455            |               |                   | 586       | Millikin.           |
| 290     | A joint resolution authorizing the Governor or Agent of State to make sale of all or any real estate owned by the State of Indiana, in the State of Georgia, - - - - -                                                                           | 467            | 467                               | 512            | 566           |                   | 585       | Marsh.              |
|         | A bill to suspend the operations of an act giving the Buffalo and Mississippi Rail Road Company the right of way through Indiana, till the Legislature of Illinois shall give to the Richmond and Terre Haute, and the Ohio and Mississippi Rail |                |                                   |                |               |                   |           |                     |

|     |                                                                                                                                                                                                                                                                                                                                                                                 |     |     |     |     |  |     |              |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|--|-----|--------------|
| 291 | Road Company the right of way through the State of Illinois, to Illinoisstown, opposite St. Louis, - - - - -                                                                                                                                                                                                                                                                    | 472 | 472 |     |     |  |     | Huffstetter. |
| 294 | A bill confirming the location of a State road leading from Logansport, in Cass county, to Kokomo, in Howard county, - - - - -                                                                                                                                                                                                                                                  | 472 | 472 | 472 | 565 |  | 586 | Taber.       |
| 295 | A bill to provide for the manner of letting the work of the Asylum for the Deaf and Dumb, - - - - -                                                                                                                                                                                                                                                                             | 493 | 493 | 493 |     |  |     | Montgomery.  |
| 296 | A bill to amend the 1st article of the 7th chapter of Revised Statutes, of 1843, - - - - -                                                                                                                                                                                                                                                                                      | 495 | 496 | 496 | 564 |  | 585 | Conduit.     |
| 297 | A bill to confirm a settlement made between the County Commissioners of Hancock county and James D. Henry, and for other purposes, - - - - -                                                                                                                                                                                                                                    | 501 | 501 | 501 | 564 |  | 586 | Walpole.     |
|     | A joint resolution instructing our Senators, and requesting our Representatives to procure the donation from Congress of 4,000 acres of land in Miami Reserve, in lieu of 4,000 acres of land confirmed to the President and Trustees of Vincennes, of lands previously donated to the State of Indiana in the two townships of land for the use of Indiana Seminary, - - - - - | 503 | 503 | 507 | 564 |  | 587 | English.     |
| 298 | A joint resolution relative to the Harbor at Michigan City, - - - - -                                                                                                                                                                                                                                                                                                           | 503 | 503 | 503 | 464 |  | 587 | Davis.       |
| 299 | A joint resolution to procure information for the benefit of Common Schools, - - - - -                                                                                                                                                                                                                                                                                          | 507 | 508 | 508 |     |  |     | Beard.       |
| 300 | A bill in relation to school district No. 7, in                                                                                                                                                                                                                                                                                                                                 |     |     |     |     |  |     |              |



| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                              | <i>First Reading.</i> | <i>Proceedings<br/>before<br/>Passage.</i> | <i>Passed Senate.</i> | <i>Passed House.</i> | <i>Other proceed'gs.</i> | <i>Approved.</i> | <i>By whom Introduced.</i> |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------|-----------------------|----------------------|--------------------------|------------------|----------------------------|
| 301            | the town of Hartsville, Bartholomew county,<br>- - - - -                                                                                                                   | 510                   | 510                                        | 510                   | 564                  |                          | 586              | Herod.                     |
| 302            | A bill in relation to School lands in Floyd<br>county, - - - - -<br>A joint resolution relative to the Central<br>Plank Road Company, East of Indianap-<br>olis, - - - - - | 511                   | 511                                        | 511                   | 566                  |                          | 586              | Davis.                     |
|                |                                                                                                                                                                            | 514                   | 514                                        | 514                   |                      |                          |                  | Walpole.                   |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE.

| Number. | TITLE.                                                                              | 638                  |               |                             |                |
|---------|-------------------------------------------------------------------------------------|----------------------|---------------|-----------------------------|----------------|
|         |                                                                                     | Received from House. | First Reading | Proceedings before Passage. | Passed Senate. |
| 3       | A bill to incorporate the Williamsburg and Centreville Turnpike Com-                | 230                  | 233           | 330                         | 330            |
| 4       | pany, - - - - -                                                                     | 33                   | 33            | 76                          | 84             |
| 7       | A bill for the relief of Walter Hilt, - - - - -                                     | 231                  | 233           | 331                         | 331            |
| 8       | A bill to amend an act in relation to College Corner and Liberty Turn-              | 231                  | 233           | 121                         |                |
| 9       | pike Company, - - - - -                                                             | 121                  | 121           | 121                         |                |
| 12      | A bill to legalize a certain sale made by Auditor of State, - - - - -               | 231                  | 234           | 436                         | 416            |
| 13      | A bill to incorporate the Ladies' Sigourney Library, at Logansport, - - - - -       | 100                  | 100           | 118                         | 162            |
| 14      | A bill to amend "an act to incorporate the Madison and Brownstown                   | 120                  | 121           | 388                         | 388            |
| 17      | Turnpike company," approved 11th Feb., 1848, - - - - -                              | 100                  | 100           | 169                         | 169            |
| 18      | A bill to change the name of Mary Marande Landrum, - - - - -                        | 168                  | 168           | 170, 173, 200               | 269            |
| 20      | A bill to ascertain the boundaries of certain roads in Warren and Mont-             | 99                   | 100           | 100                         | 220            |
| 22      | gomery counties, - - - - -                                                          | 100                  | 100           | 435                         | 435            |
| 23      | A joint resolution in relation to the existing post office laws, - - - - -          | 352                  | 355           | 542                         | 542            |
| 24      | A joint resolution in relation to slavery, - - - - -                                | 100                  | 100           |                             |                |
| 25      | A joint resolution in relation to Isaac Hardy and others, - - - - -                 | 100                  | 100           |                             |                |
|         | A joint resolution in relation to 2d and 3d Regiments Indiana Volunteers, - - - - - | 100                  | 100           |                             |                |
|         | A bill to authorize Jane Bushnell Jenks to hold real estate, - - - - -              | 100                  | 100           |                             |                |
|         | A bill to authorize Isaac Plum Prickett, - - - - -                                  | 100                  | 100           |                             |                |
|         | A joint resolution in relation to newspapers and public documents, - - - - -        | 100                  | 100           |                             |                |

| Number. | TITLE.                                                                            | 639                  |               |                             |                |
|---------|-----------------------------------------------------------------------------------|----------------------|---------------|-----------------------------|----------------|
|         |                                                                                   | Received from House. | First Reading | Proceedings before Passage. | Passed Senate. |
| 26      | A bill to authorize the judge of probate court of St. Joseph county to            | 307                  | 308           | 308                         | 308            |
| 27      | grant and try writs of habeas corpus, and for other purposes, - - - - -           | 99                   | 99            | 118                         | 147            |
| 28      | A bill to amend an act for the relief of certain persons therein named,           | 121                  | 121           | 121                         | 169            |
| 29      | approved 16 Feb., 1848, - - - - -                                                 | 231                  | 234           | 431                         | 475            |
| 32      | A bill to amend an act relative to high water in Jackson county, - - - - -        | 121                  | 124           | 124                         | 162            |
| 33      | A bill to amend chap. 10 of R. S. of 1843, concerning county surveyors,           | 231                  | 234           | 432                         | 432            |
| 34      | A bill to amend the act to incorporate the Centreville and Abington Turn-         | 453                  | 453           | 453                         |                |
| 35      | pike Company, - - - - -                                                           | 121                  | 124           | 124                         | 124            |
| 36      | A bill defining the duties of administrators de bonis non, in certain cases,      | 231                  | 234           | 432                         | 198            |
| 38      | A bill to regulate the fees of certain officers in Delaware county, - - - - -     | 453                  | 453           | 453                         | 329            |
| 42      | A bill authorizing justices of the peace in Harrison county to perform            | 121                  | 124           | 124                         | 191            |
| 43      | the duties of coroner in certain cases, - - - - -                                 | 121                  | 124           | 124                         | 518            |
| 44      | A bill to change the name of Andrew Turner, alias John Turner, - - - - -          | 231                  | 234           | 329                         | 294            |
| 45      | A bill to vacate a part of a certain road in Dearborn county, - - - - -           | 191                  | 191           | 191                         | 167            |
| 46      | A bill to authorize the commissioners of Hamilton, Miami, and Tipton              | 518                  | 518           | 518                         |                |
| 47      | counties, to borrow money, - - - - -                                              | 231                  | 234           | 276                         |                |
| 49      | A bill to vacate a part of the town of Sparta, in Noble county - - - - -          | 231                  | 234           | 234                         |                |
| 50      | A bill to authorize the recorders of Franklin, Switzerland, and Knox              | 121                  | 167           | 167                         |                |
| 51      | counties, to make a general index, - - - - -                                      | 231                  | 234           | 389                         |                |
| 52      | A bill to amend the act to incorporate the Knightstown and Shelbyville            | 121                  | 167           | 189                         |                |
|         | Railroad Company, - - - - -                                                       | 231                  | 234           | 307                         |                |
|         | A bill to amend an act providing for the appointment of supervisors in            | 231                  | 234           | 330                         |                |
|         | counties of Decatur, Jefferson, and Spencer, - - - - -                            | 121                  | 167           | 189                         |                |
|         | A bill to amend article 11, chapter 30, of revised statutes of 1843, - - - - -    | 307                  | 307           | 307                         |                |
|         | A bill relative to school funds in Clarke county, - - - - -                       | 231                  | 235           | 330                         |                |
|         | A bill relative to suits against sureties of State and county officers, - - - - - | 121                  | 167           | 189                         |                |
|         | A bill to authorize a company to construct the Milton and Aurora turnpike,        | 121                  | 167           | 189                         |                |
|         | A bill for the relief of A. N. Blackledge, and the heirs of Robert Thomp-         | 121                  | 167           | 189                         |                |
|         | son, deceased, - - - - -                                                          | 121                  | 167           | 189                         |                |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

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| <i>Number.</i> | <i>TITLE.</i>                                                                                                                          | <i>Received from House.</i> | <i>First Reading.</i> | <i>Proceedings before passage.</i> | <i>Passed Senate.</i> |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------|------------------------------------|-----------------------|
| 54             | A bill to amend an act to incorporate the town of New Castle, in Henry county, - - - - -                                               | 120                         | 121                   | 164                                | 189                   |
| 55             | A bill to amend an act to authorize a company to construct the Aurora and Laughery Turnpike, - - - - -                                 | 120                         | 121                   | 121                                | 163                   |
| 56             | A bill to prevent Treasurers and others in the counties of Steuben, De Kalb, and Noble from receiving constructive per centages, - - - | 352                         | 356                   | 356                                | 389                   |
| 57             | A joint resolution in relation to the seat of government of the U. States, -                                                           | 120                         | 121                   | 468                                | 468                   |
| 58             | A joint resolution in relation to a change in electing President and Vice President of the United States, - - - - -                    | 231                         | 235                   |                                    |                       |
| 62             | A bill to amend an act to incorporate the Kosciusko, Elkhart, and Miami Railroad Company, - - - - -                                    | 120                         | 121                   |                                    |                       |
| 63             | A bill for the relief of John McCulloch, of Cass county, - - - - -                                                                     | 120                         | 121                   | 164                                | 168                   |
| 64             | A bill to more effectually provide for the security of school funds, - -                                                               | 99                          | 99                    | 99                                 | 99                    |
| 66             | A bill relating to certain officers in the county of Dearborn, - - - -                                                                 | 518                         | 520                   | 520                                | 520                   |
| 67             | A bill for the relief of Aaron Wheeler, of Laporte county, - - - - -                                                                   | 231                         | 235                   | 235                                | 235                   |
| 68             | A bill authorizing the additional justice of the peace in Adams township, in Morgan county, - - - - -                                  | 231                         | 235                   | 235                                |                       |
| 71             | A bill to amend an act abolishing docket fees and dispensing with final records in certain cases, approved Jan. 28, 1843, - - - - -    | 231                         | 235                   | 236                                | 235                   |

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|    |                                                                                                                                    |     |     |     |     |
|----|------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| 72 | A bill to incorporate the Madison County Hydraulic and Manufacturing Company, - - - - -                                            | 231 | 236 | 386 | 386 |
| 75 | A bill to repeal a certain portion of section 54, chapter 12, of Revised Statutes of 1843, as to counties therein named, - - - - - | 231 | 236 | 236 | 237 |
| 77 | A bill relating to the Baptist Education Society of Indiana, - - - -                                                               | 231 | 237 | 237 | 494 |
| 78 | A bill regulating the granting of licenses in the town of Connersville, -                                                          | 231 | 237 | 237 |     |
| 79 | A bill for the relief of land owners in the town of Rising Sun, - - -                                                              | 231 | 237 | 237 |     |
| 81 | A bill amendatory of an act to incorporate the Hagerstown Canal Company, - - - - -                                                 | 106 | 107 | 107 | 107 |
| 82 | A bill to prevent intemperance in Wayne, Greensboro', Spiceland, and Harrison townships, in the county of Henry, - - - - -         | 343 | 343 | 343 | 343 |
| 83 | A bill to incorporate the town of Lamasco City, etc., - - - - -                                                                    | 307 | 307 | 317 |     |
| 84 | A bill for the relief of Christian Aigner, - - - - -                                                                               | 231 | 237 | 237 | 237 |
| 85 | A bill in relation to bridges in Fayette county, - - - - -                                                                         | 191 | 191 | 191 | 191 |
| 86 | A bill to locate a State road from Fairfax to Finley's Mills, in Jackson county, - - - - -                                         | 232 | 237 | 237 | 238 |
| 88 | A bill to facilitate discharge of mortgages for the payment of Bank stock, -                                                       | 232 | 238 | 238 |     |
| 89 | A bill to authorize the Governor of State to sell certain rock belonging to the State of Indiana, - - - - -                        | 232 | 238 | 238 |     |
| 92 | A bill to authorize the county commissioners of Laporte county to borrow money, and for other purposes, - - - - -                  | 232 | 238 | 238 | 238 |
| 94 | A bill to authorize the erection of a new seminary in Henry county, -                                                              | 232 | 238 | 238 | 238 |
| 95 | A bill to incorporate the Central Plank Road Company, - - - - -                                                                    | 417 | 417 | 417 | 276 |
| 96 | A joint resolution relative to the time of payment of the semi-annual interest to the Bondholders of this State, - - - - -         | 168 | 168 | 189 | 427 |
| 97 | A bill to amend section 336, chapter 40, of the Revised Code of 1843, -                                                            | 232 | 238 | 238 |     |
| 98 | A bill to authorize Zebina Warriner, of Decatur county, to file a bill in Chancery, - - - - -                                      | 232 | 238 | 238 | 431 |
| 99 | A bill to reduce the fees and salaries of county officers in Blackford co., -                                                      | 232 | 239 | 239 | 338 |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

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| Number. | TITLE.                                                                                                                                                   | Received from House. | First Reading. | Proceedings before Passage. | Passed Senate. |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|-----------------------------|----------------|
| 100     | A bill for the relief of Matthew McPhetridge of Monroe county,                                                                                           | 232                  | 339            | 239                         | 239            |
| 102     | A bill to regulate the times of holding courts in the fifth circuit,                                                                                     | 305                  | 306            | 306                         | 306            |
| 103     | A bill to amend the Statute granting divorces,                                                                                                           | 232                  | 239            | 239                         |                |
| 104     | A bill to amend an act to incorporate the Michigan Road Company, approved 13th January, 1845, and an act to amend the same, approved 19th January, 1846, | 232                  | 239            | 239                         |                |
| 105     | A bill for the relief of Magdalena Pfalzgraf,                                                                                                            | 232                  | 239            | 239                         | 276            |
| 106     | A bill to incorporate the Moscow and Blooming Grove Turnpike Co.,                                                                                        | 352                  | 356            | 356                         | 436            |
| 107     | A preamble and joint-resolution relative to reducing the price of public land in the Great Miami National Reserve,                                       | 232                  | 239            | 239                         | 297            |
| 108     | A bill relative to the Board of Commissioners of Boone county,                                                                                           | 232                  | 239            | 239                         |                |
| 110     | A bill to incorporate the Perrysville and Danville, and Perrysville and Georgetown Plank Road Company,                                                   | 352                  | 356            | 356                         | 356            |
| 112     | A bill to amend an act to regulate the mode of doing township business in Elkhart county                                                                 | 232                  | 240            | 240                         |                |
| 113     | A bill in relation to the real and personal estate of John Fischli, late of Jackson county,                                                              | 307                  | 308            | 308                         | 392            |
| 114     | A bill authorizing a compensation to Adjutant General for organizing the 4th and 5th Regiments of Indiana Volunteers,                                    | 514                  | 515            | 515                         | 515            |

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|     |                                                                                                                    |     |     |     |     |
|-----|--------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| 116 | A bill to change the mode of doing county business in Warrick, from justices of the peace to county commissioners, | 232 | 240 | 240 | 240 |
| 118 | A bill in relation to the duties of Auditor and Agent of State,                                                    | 232 | 240 | 240 | 276 |
| 119 | A bill to legalize the election of Prosecuting Attorney in Daviess county,                                         | 232 | 240 | 240 |     |
| 121 | A bill to authorize probate court of Bartholomew county to sit two weeks at February term,                         | 232 | 240 | 240 | 240 |
| 122 | A bill to extend time of working roads in Clay county,                                                             | 232 | 240 | 241 | 240 |
| 123 | A bill to change the name of Fleenersburgh in Monroe county, to Unionville, etc.,                                  | 232 | 240 | 241 | 241 |
| 124 | A bill to incorporate the Covington Draw Bridge Company,                                                           | 353 | 356 | 356 | 419 |
| 127 | A bill to repeal an act providing the opening and repairing roads and highways in Monroe county,                   | 307 | 308 | 308 | 396 |
| 128 | A bill creating the Marion Court of Common Pleas,                                                                  | 242 | 242 | 242 | 261 |
| 129 | A bill to amend an act to amend article 5, chapter 45, of Revised Code 1843,                                       | 307 | 308 | 308 |     |
| 130 | A bill to extend the provisions of an act therein named,                                                           | 399 | 400 | 400 |     |
| 131 | A bill to amend the practice in chancery,                                                                          | 307 | 309 | 309 |     |
| 132 | A bill regulating fees of justices of the peace, mayors, constables, and for other purposes,                       | 232 | 241 | 241 | 431 |
| 133 | A bill relative to jurisdiction of justices of the peace in Lake and Porter counties,                              | 232 | 241 | 241 |     |
| 138 | A bill to amend the 69th section, of the 7th article, of 5th chapter of Revised Statutes of 1843,                  | 232 | 241 | 241 | 294 |
| 142 | A bill to pay laborers employed on the northern division of the Central Canal,                                     | 233 | 241 | 241 |     |
| 143 | A bill to amend an act for the government of the Indiana Hospital for the Insane,                                  | 233 | 241 | 241 |     |
| 144 | A bill to repeal an act so far as relates to Owen county,                                                          | 233 | 241 | 241 | 242 |
| 146 | A bill to incorporate the Mt. Carmel and Harrison Turnpike Company,                                                | 353 | 358 | 358 | 358 |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

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| Number. | TITLE.                                                                                            | Received from House. | First Reading. | Proceedings before Passage. | Passed Senate. |
|---------|---------------------------------------------------------------------------------------------------|----------------------|----------------|-----------------------------|----------------|
| 147     | A bill to amend an act to incorporate the Indiana Canal Company,                                  | 407                  | 407            | 407                         | 447            |
| 148     | A bill to provide for the selection of Petit Jurors in Jackson county,                            | 233                  | 242            | 242                         | 242            |
| 149     | A bill relative to Commissioners of Western Division of Buffalo and Mississippi Railroad Company, | 230                  | 230            | 230                         | 230            |
| 150     | A bill to amend an act to lease the Indiana State Prison, and for other purposes,                 | 410                  | 411            | 477, 493                    | 593            |
| 154     | A bill to change the mode of assessing the State and County Revenue in Davies and Martin,         | 233                  | 242            | 242                         |                |
| 155     | A bill to prevent the sale of spirituous liquors in Dalton township Wayne county,                 | 353                  | 358            | 358                         | 358            |
| 156     | A bill to repeal a certain act therein named, so far as relates to Elkhart county,                | 353                  | 358            | 358                         | 358            |
| 157     | A bill relative to Seminary fund in Cass county,                                                  | 353                  | 358            | 358                         | 358            |
| 158     | A bill to locate a State road in the counties of Allen and DeKalb,                                | 353                  | 359            | 359                         | 359            |
| 159     | A bill to extend the Lawrenceburgh and Rushville Railroad to the coal region near Point Commerce, | 353                  | 359            | 359, 539                    | 477            |
| 160     | A bill to change a part of the Indianapolis and Pendleton State road,                             | 353                  | 359            | 359                         | 472            |

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|     |                                                                                                                   |     |     |                 |     |
|-----|-------------------------------------------------------------------------------------------------------------------|-----|-----|-----------------|-----|
| 161 | A bill to provide for the election of township Assessor in the counties of Dearborn, Switzerland, Ohio, and Jay,  | 353 | 359 | 359             | 391 |
| 162 | A bill to amend an act to incorporate the Rushville and Lawrenceburgh Railroad Company,                           | 353 | 359 | 359             | 359 |
| 163 | A bill to extend the time of payment to purchasers of school lands, and for other purposes,                       | 353 | 359 | 359             | 360 |
| 164 | A bill to locate a State road in Lagrange and Elkhart counties,                                                   | 353 | 359 | 359             | 360 |
| 165 | A bill to prevent the poisoning of fish in Greene county,                                                         | 353 | 359 | 359             |     |
| 166 | A bill to locate a State road from Wabash in Wabash county, via Bluffton in Wells county, to Fort Recovery, Ohio, | 353 | 360 | 360             |     |
| 167 | A bill to increase and extend the benefits of Common Schools,                                                     | 445 | 445 | 447, 457 to 464 | 441 |
| 168 | A bill or the relief of John T Custer,                                                                            | 477 | 478 | 478             | 464 |
| 170 | A joint-resolution relative to land selected by State of Indiana for canal purposes,                              | 353 | 360 | 360             | 478 |
| 171 | A bill for the relief of the person therein named,                                                                | 353 | 360 | 360             | 360 |
| 172 | A bill for the relief of Widows,                                                                                  | 353 | 360 | 360             |     |
| 173 | A bill to locate a State road in the counties of Shelby and Rush,                                                 | 353 | 360 | 360             | 360 |
| 174 | A bill defining the boundaries of the county of Blackford,                                                        | 353 | 360 | 361             | 389 |
| 175 | A joint-resolution in relation to the Lafayette, Monticello, and Michigan City Railroad,                          | 343 | 343 | 365, 379        | 425 |
| 176 | A joint-resolution on the subject of the three per cent. fund,                                                    | 353 | 361 | 361             | 361 |
| 177 | A bill to incorporate the Warsaw Manufacturing Company,                                                           | 353 | 361 | 361             | 467 |
| 178 | A bill repealing the several acts exempting soldiers of the Mexican war from payment of taxes,                    | 498 | 498 | 498             | 498 |
| 179 | A bill to amend the plat of Cambridge City,                                                                       | 353 | 361 | 361             | 361 |
| 180 | A bill for the relief of Solomon May,                                                                             | 307 | 309 | 309             | 394 |
| 181 | A bill to change the venue in certain cases therein named, from the county of Marion to the county of Knox,       | 353 | 361 | 361             | 361 |
| 182 | A bill to provide for the election of Assessors in Scott county,                                                  | 353 | 361 | 361             | 362 |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

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| Number. | TITLE.                                                                                                                                          | Received from House. | First Reading. | Proceedings before Passage. | Passed Senate. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|-----------------------------|----------------|
| 183     | A bill to authorize the letting of the water power at the North Port feeder dam in Noble county, &c.,                                           | 353                  | 362            | 362                         | 362            |
| 185     | A bill relative to the jurisdiction of justices of peace in criminal cases,                                                                     | 353                  | 362            | 362                         | 362            |
| 186     | A bill relative to official misconduct of county commissions,                                                                                   | 354                  | 362            | 362                         | 432            |
| 187     | A bill relative to collection of taxes in certain counties,                                                                                     | 354                  | 362            | 362                         |                |
| 189     | A bill to amend an act to incorporate the Henry County Turnpike Company,                                                                        | 354                  | 362            | 362                         | 362            |
| 190     | A bill to vacate the town of Venterville in Morgan county,                                                                                      | 354                  | 397            | 397                         | 397            |
| 193     | A bill to legalize the assessment of taxable property in Wayne township, Bartholomew county, for 1848,                                          | 354                  | 397            | 397                         |                |
| 194     | A bill to authorize the election of additional justice of the peace in Adams township, Madison county, and in Jackson township, Hancock county, | 354                  | 397            | 397                         | 397            |
| 195     | A bill to provide for the location of State road in Grant and Wabash counties,                                                                  | 354                  | 397            | 397                         | 405            |
| 196     | A bill amendatory of the act incorporating the town of Connersville,                                                                            | 354                  | 397            | 397                         | 398            |
| 197     | A bill amendatory of the act to authorize the election of justice of the peace and constable in the town of New Trenton, etc.,                  | 354                  | 398            | 398                         |                |
| 199     | A joint resolution in relation to State instruments,                                                                                            | 305                  | 306            | 306                         | 306            |
|         |                                                                                                                                                 | 354                  | 398            | 398                         | 398            |

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|     |                                                                                                                             |     |     |     |     |
|-----|-----------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| 200 | A joint resolution in relation to donating lands by the General Government,                                                 | 354 | 398 | 398 | 398 |
| 201 | A joint resolution in relation to publishing the General Laws of present session,                                           | 354 | 398 | 398 | 398 |
| 202 | A bill to amend an act to incorporate the Terre Haute and Richmond Railroad Company,                                        | 233 | 233 | 332 | 332 |
| 203 | A bill to alter the times of holding circuit courts in Owen, Morgan, and Brown counties,                                    | 518 | 520 | 520 | 520 |
| 204 | A bill to amend an act extending the jurisdiction of justice of peace in certain criminal cases,                            | 305 | 306 | 306 | 396 |
| 205 | A bill for the relief of Bowen B. McFarland et. al., late of United States Army in Mexico,                                  | 410 | 412 | 412 | 412 |
| 206 | A bill defining the duties of Congressional township trustees in Daviess county,                                            | 354 | 398 | 398 | 441 |
| 207 | A bill to preserve the estate of Bowman, deceased,                                                                          | 354 | 398 | 399 | 399 |
| 208 | A bill to confirm a certain change in the Michigan road in Cass county,                                                     | 354 | 399 | 399 |     |
| 209 | A bill to repeal an act therein named,                                                                                      | 354 | 399 | 399 |     |
| 210 | A bill to compel speculators to pay a road tax equal to that paid, &c., in Tipton county,                                   | 354 | 399 | 399 | 399 |
| 211 | A bill to change the time of holding circuit courts in the counties of Jennings and Bartholomew,                            | 354 | 399 | 399 | 399 |
| 213 | A bill to amend the 105 section of chapter 16 of Revised Statutes of 1843,                                                  | 498 | 499 | 499 | 499 |
| 214 | A bill to resurvey and relocate so much of Indianapolis and Fort Wayne State road in Grant, Wells, and Huntington counties, | 354 | 413 | 413 | 413 |
| 215 | A bill in relation to road tax in St. Joseph county,                                                                        | 354 | 413 | 413 | 413 |
| 216 | A bill to incorporate Washington Turnpike Company in Wayne county Indiana,                                                  | 354 | 413 | 413 | 413 |
| 217 | A bill to legalize certain acts of the auditor of Marshall county,                                                          | 354 | 413 | 413 | 413 |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

| Number. | TITLE.                                                                                                                                                          | 648                  |                |                             |                |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|-----------------------------|----------------|
|         |                                                                                                                                                                 | Received from House. | First Reading. | Proceedings before passage. | Passed Senate. |
| 218     | A bill to authorize supervisors in Wells county to levy an additional road tax, when necessary, - - - - -                                                       | 354                  | 413            | 413                         | 413            |
| 219     | A bill to repeal an act to repeal an act defining the duties of county treasurers, relative to the counties of Fulton and Marshall, January 13, 1845, - - - - - | 354                  | 413            | 413                         | 414            |
| 220     | A bill for the relief of Andrew Shaw, - - - - -                                                                                                                 | 354                  | 355            | 355                         | 355            |
| 221     | A bill to change the name of the Ciceronian Society of Franklin College to Alpha Pi, - - - - -                                                                  | 354                  | 414            | 414                         | 414            |
| 222     | A bill to increase the salary of the probate judge of Wayne county, - - - - -                                                                                   | 355                  | 414            | 414                         | 414            |
| 223     | A bill in relation to roads in Marshall, Fulton, and Stark counties, - - - - -                                                                                  | 355                  | 414            | 414                         | 414            |
| 224     | A bill to incorporate the Delphi and Frankfort Plank Road company, - - - - -                                                                                    | 407                  | 407            | 407                         | 407            |
| 226     | A bill to exempt the property of invalids from taxation, - - - - -                                                                                              | 355                  | 414            | 414                         | 414            |
| 227     | A bill to incorporate the Greensburgh and Brookville Turnpike company, - - - - -                                                                                | 355                  | 414            | 414                         | 414            |
| 228     | A bill defining the duties of the Board of Commissioners in Monroe co., - - - - -                                                                               | 355                  | 414            | 414                         | 414            |
| 229     | A bill to equally distribute the local and general laws of this State, - - - - -                                                                                | 355                  | 415            | 415                         | 481            |
| 230     | A bill to amend an act appointing superintendents to change of channel or leveling banks of Jordan creek, - - - - -                                             | 477                  | 497            | 497                         | 497            |
| 231     | A bill to amend an act to provide for continuance of all or a part of public works, &c., - - - - -                                                              | 355                  | 415            | 415                         | 415            |

| Number. | TITLE.                                                                                                                      | 649                  |                |                             |                |
|---------|-----------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|-----------------------------|----------------|
|         |                                                                                                                             | Received from House. | First Reading. | Proceedings before passage. | Passed Senate. |
| 233     | A bill to levy a tax on the inhabitants of the town of Marion, etc., - - - - -                                              | 305                  | 306            | 306                         | 306            |
| 234     | A bill relative to the pay of probate judge of Grant county, - - - - -                                                      | 518                  | 521            | 521                         | 521            |
| 235     | A bill defining the mode of appointing trustees of county library of Sullivan county, - - - - -                             | 355                  | 415            | 415                         | 415            |
| 238     | A bill making general appropriations for 1849, and for other purposes, - - - - -                                            | 452                  | 452            | 452                         | 445            |
| 239     | A bill to raise revenue for State purposes for 1849, - - - - -                                                              | 399                  | 400            | 400                         | 400            |
| 240     | A bill to authorize the Auditor of Clinton county to make a deed in a certain case, - - - - -                               | 306                  | 306            | 307                         | 307            |
| 241     | An act to provide for the publication of ordinances in Terre Haute in certain cases, - - - - -                              | 283                  | 283            | 283                         | 283            |
| 242     | A bill to change the time of holding circuit courts in the 8th judicial circuit, and to reduce said circuit, - - - - -      | 341                  | 341            | 341                         | 371            |
| 243     | A bill in relation to roads and highways in Brown county, - - - - -                                                         | 341                  | 341            | 341                         | 341            |
| 244     | A bill to incorporate the American University, - - - - -                                                                    | 341                  | 342            | 342                         | 369            |
| 245     | A bill extending the provisions of chapter 16, Revised Statutes of 1843, to Noble county, and for other purposes, - - - - - | 518                  | 521            | 521                         | 521            |
| 247     | A bill to authorize a company to construct a turnpike from Oxford to Connorsville, - - - - -                                | 341                  | 342            | 342                         | 342            |
| 248     | A bill to repeal an act to reduce the fee for recording deeds in Delaware county, - - - - -                                 | 399                  | 400            | 400                         | 440            |
| 249     | A bill for the relief of John Smith of Owen county, - - - - -                                                               | 399                  | 400            | 400                         | 439            |
| 250     | A bill to incorporate the Elkhart and Michigan Railroad company, - - - - -                                                  | 410                  | 412            | 412                         | 412            |
| 252     | A bill to locate a State road in the counties of Orange, Martin, and Crawford, - - - - -                                    | 400                  | 400            | 400                         | 400            |
| 254     | A bill to prohibit the sale of spirituous liquors in Adams and Fall Creek townships, Madison county, - - - - -              | 400                  | 400            | 400                         | 543            |
| 256     | A bill to incorporate the Troy and Wabash River Railroad company, - - - - -                                                 | 400                  | 401            | 401                         | 401            |
| 257     | A bill in relation to roads and bridges in Bartholomew county, - - - - -                                                    | 355                  | 415            | 415                         | 415            |
| 258     | A bill to repeal an act therein named, - - - - -                                                                            | 400                  | 401            | 401                         | 518            |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

650

| Number. | TITLE.                                                                                                                        | Received from House. | First Reading. | Proceedings before passage. | Passed Senate |
|---------|-------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|-----------------------------|---------------|
| 259     | A bill to change the name of the town of Huntsville, in Randolph Co., to Trenton, - - - - -                                   | 355                  | 415            | 415                         | 415           |
| 260     | A bill to attach additional territory to the county of Laporte and other purposes, - - - - -                                  | 519                  | 521            | 521                         | 544           |
| 261     | A bill to provide for the speedy completion of the Indiana Hospital for the Insane, - - - - -                                 | 450                  | 450            | 450                         |               |
| 263     | A bill for the relief of the heirs of Alexander Smith, late of Adams Co., also, relief of Samuel H. Gregg, - - - - -          | 355                  | 415            | 415                         | 416           |
| 264     | A bill to incorporate the Rushville Female Institute, - - - - -                                                               | 355                  | 416            | 416                         | 416           |
| 265     | A bill for the relief of the heirs of Wm. Whaling, deceased, - - - - -                                                        | 355                  | 416            | 416                         | 416           |
| 266     | A bill to amend the 13th article of the 4th chapter Revised Statutes, 1843, - - - - -                                         | 498                  | 499            | 499                         | 499           |
| 267     | A bill to incorporate the town of Anderson, Madison county, and to amend the charter of Greenfield, Hancock county, - - - - - | 518                  | 518            |                             |               |
| 269     | A bill to incorporate the Montezuma Canal Lock Company, - - - - -                                                             | 598                  | 499            | 499                         | 499           |
| 271     | A bill to incorporate the town of Greencastle, in Putnam county, - - - - -                                                    | 453                  | 453            | 453                         | 453           |
| 272     | A bill to change the manner of electing the Marshal of the borough of Vincennes, - - - - -                                    | 448                  | 448            | 448                         | 449           |
| 273     | A bill to authorize the survey and making the plat of the town of Troy, in Perry county, - - - - -                            | 519                  | 521            | 521                         | 521           |

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|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| 275 | A bill to locate a State road in the counties of Switzerland and Hancock, - - - - -                                                                          | 519 | 521 | 521 | 521 |
| 276 | A bill to provide for the election of Prosecuting Attorneys in the 8th and 9th judicial circuit, - - - - -                                                   | 355 | 416 | 416 | 440 |
| 277 | A bill relating to dockets of justices of the peace in Pleasaut Run township, in Lawrence county, - - - - -                                                  | 355 | 416 | 416 | 417 |
| 279 | A bill to prevent the sale of spirituous liquors in Posey township, Rush county, - - - - -                                                                   | 519 | 522 | 522 | 522 |
| 280 | A bill in relation to the Agent of State leaving surplus revenue in Clarke county, - - - - -                                                                 | 517 | 517 | 517 | 517 |
| 281 | A bill to authorize the Board of Commissioners of Howard county, to borrow money for certain purposes, - - - - -                                             | 519 | 522 | 522 | 522 |
| 282 | A bill to incorporate the Kox Insurance Company, - - - - -                                                                                                   | 417 | 417 | 417 | 417 |
| 285 | A bill to incorporate the Madison Manufacturing and Ship Yard Company, - - - - -                                                                             | 519 | 522 | 522 | 522 |
| 287 | A bill to amend the charter of the town of Williamsburgh, in Wayne county, - - - - -                                                                         | 519 | 522 | 522 | 522 |
| 288 | A bill to amend an act for the extension of a State road in Laporte county, to Winnemac, - - - - -                                                           | 519 | 522 | 522 | 522 |
| 290 | A bill to incorporate the Connersville and Knoxville Turnpike Company, - - - - -                                                                             | 519 | 522 | 522 | 522 |
| 291 | A bill to authorize the County Commissioners of Daviess county, to vacate State roads, &c., - - - - -                                                        | 519 | 522 | 522 | 522 |
| 292 | A bill to amend article 5, Revised Statutes 1843, relative to writs of <i>ad quad damnum</i> , - - - - -                                                     | 519 | 522 | 522 | 522 |
| 293 | A bill to incorporate the Eclectic Medical Institute of Indiana, - - - - -                                                                                   | 519 | 522 | 522 | 522 |
| 294 | A bill to repeal the latter part of the 6th section of an act in relation to the Northern Division of the Central Canal, approved 13th Jan., 1846, - - - - - | 519 | 522 | 522 | 522 |
| 295 | A bill in relation to State road in Montgomery county, - - - - -                                                                                             | 477 | 495 | 495 | 496 |
| 296 | A bill in relation to jurisdiction of justices of the peace, in Wayne county, - - - - -                                                                      | 519 | 522 | 522 | 522 |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

652

| Number. | TITLE.                                                                                                         | Received from House. | First Reading. | Proceedings before Passage. | Passed Senate. |
|---------|----------------------------------------------------------------------------------------------------------------|----------------------|----------------|-----------------------------|----------------|
| 297     | A bill regulating the mileage of members of the General Assembly and others,                                   | 519                  | 538            | 538                         | 539            |
| 298     | A bill for the more effectual, just, and equal assessment of personal property, money, credits, &c.,           | 444                  | 444            | 445, 484                    | 539            |
| 300     | A bill to legalize certain acts of the Board of Commissioners in Lagrange county,                              | 519                  | 539            | 539                         | 539            |
| 301     | A bill to amend article 2, of chapter 42, of Revised Statutes of 1843,                                         | 519                  | 539            | 539                         | 539            |
| 302     | A bill for the relief of Elisha Driskill,                                                                      | 519                  | 539            | 539                         | 539            |
| 303     | A bill to amend an act for the relief of the securities of John Plasters, School Commissioner in Miami county, | 519                  | 539            | 539                         | 539            |
| 304     | A bill authorizing location of State road from Jonesborough, Grant county, to Lafayette, Tippecanoe county,    | 519                  | 539            | 539                         | 539            |
| 305     | A bill authorizing the leasing of the finished portion of the Central Canal, and for other purposes,           | 519                  | 539            | 539                         | 539            |
| 306     | A bill to legalize a certain conveyance therein named,                                                         | 410                  | 412            | 412                         | 539            |
| 308     | A bill for the better security of the surplus revenue fund in Boone co.,                                       | 477                  | 496            | 496                         | 412            |
| 311     | A bill to amend the 209th section, chapter 30, revised statutes 1843,                                          | 498                  | 499            | 499                         | 496            |
| 312     | A bill to incorporate the Preachers' relief society of Methodist Protestant Church, of Indiana,                | 498                  | 499            | 499                         | 499            |

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|-----|----------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| 314 | A bill to amend the act to incorporate the Madison Cemetery, approved 19 January, 1846,                  | 407 | 407 | 407 | 407 |
| 315 | A bill in relation to road taxes in Adams county,                                                        | 407 | 408 | 408 | 408 |
| 317 | A bill to change the name of the Cannelton steam mill and manufacturing company, and for other purposes, | 407 | 408 | 408 | 408 |
| 319 | A bill to incorporate the Peru and Rochester Turnpike Company,                                           | 449 | 449 | 449 | 472 |
| 320 | A bill to legalize the sale of delinquent lands and lots in Crawford county,                             | 407 | 408 | 408 | 408 |
| 321 | A bill to regulate the mode of doing county business in Putnam Co.,                                      | 407 | 408 | 408 | 408 |
| 322 | A bill in relation to the power and duties of trustees of congressional townships in Daviess county,     |     |     |     |     |
| 323 | A bill fixing the fees of auditor of Switzerland county,                                                 | 496 | 496 | 496 | 496 |
| 324 | A bill to establish a county road in Rush and Henry counties,                                            | 451 | 451 | 451 | 451 |
| 325 | A bill to change the name of Lewisburg to Eden,                                                          |     |     |     |     |
| 326 | A bill for the relief of the Christian Church, at Stilesville, in Hendricks county,                      | 477 | 496 | 496 | 496 |
| 327 | A bill in relation to paupers in the county of Dearborn,                                                 | 477 | 496 | 496 | 496 |
| 328 | A bill to establish a State road from Bloomington to Point Commerce,                                     | 477 | 496 | 496 | 496 |
| 329 | A bill to improve a certain road in De Kalb county,                                                      | 477 | 496 | 496 | 496 |
| 330 | A bill for the relief of Dempsey Linton, of Randolph county,                                             | 477 | 496 | 496 | 496 |
| 332 | A bill to incorporate the Rockville and Montezuma Plank Road Company,                                    |     |     |     |     |
| 333 | A bill to incorporate the trustees of the Clark University,                                              | 386 | 386 | 386 | 386 |
| 334 | A bill to authorize the Shelbyville central branch railroad to dispose of real estate,                   | 449 | 449 | 449 | 449 |
| 335 | A bill declaring the width of a certain street in the town of Bloomington, Monroe county,                | 477 | 497 | 497 | 497 |
| 336 | A bill to amend the act to incorporate the Madison and Brownstown Turnpike Company,                      | 477 | 497 | 497 | 497 |



BILLS AND JOINT RESOLUTIONS OF THE HOUSE—Continued.

| Number. | TITLE.                                                                                                                                                      | Received from House. | First Reading. | Proceeding before Passage. | Passed Senate. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|----------------------------|----------------|
| 337     | A bill authorizing the location of a State road from Michigan road near Carroll P. O., to Jonesboro, Grant county, - - - - -                                | 477                  | 496            | 496                        | 496            |
| 339     | A bill to amend the act for the relief of Cary S. Goodrich, approved 27th January, 1847, - - - - -                                                          | 498                  | 499            | 499                        | 499            |
| 340     | A bill to incorporate the Paris and Dupont Rail Road Company, - - - - -                                                                                     | 498                  | 499            | 499                        | 500            |
| 341     | A bill to authorize the removal of obstructions in Salt creek, Bean Blossom, and Clear creek, in Monroe county, and for other purposes, - - - - -           | 498                  | 500            | 500                        | 500            |
| 342     | A bill to repeal an act approved 12th February, 1848, - - - - -                                                                                             | 498                  | 500            | 500                        | 500            |
| 343     | A bill to repeal an act to repeal 4th section, 47th chapter, Revised Statutes, so far as relates to Elkhart county, - - - - -                               | 498                  | 500            | 500                        | 500            |
| 344     | A bill to locate a State road in the counties of Grant and Delaware, - - - - -                                                                              | 498                  | 500            | 500                        | 500            |
| 345     | A bill to incorporate the Muncie, Jonesboro, Marion, and Peru Rail Road Company, - - - - -                                                                  | 498                  | 500            | 500                        | 500            |
| 346     | A bill to amend section 101, chapter 38, Revised Statutes of 1843, - - - - -                                                                                | 498                  | 500            | 500                        | 500            |
| 347     | A bill to secure to the common school fund of Jennings county, the value and rents of certain real estate in said county, and for other purposes, - - - - - | 498                  | 500            | 500                        | 500            |
| 348     | A bill for the relief of Mertha Modewell, widow of Adam Modewell, deceased, - - - - -                                                                       | 451                  | 451            | 451                        | 451            |

654

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|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----------|-----|
| 349 | A bill to legalize a State road in Porter county, - - - - -                                                                                                                               | 498 | 500 | 500       | 500 |
| 351 | A bill to amend the 8th article, of the 12th chapter, of the Revised Code, - - - - -                                                                                                      | 519 | 539 | 540       | 540 |
| 352 | A bill to amend an act to incorporate the Richmond and Boston Turnpike Company, - - - - -                                                                                                 | 520 | 540 | 540       | 540 |
| 353 | A bill declaring Market street, Indianapolis, as originally laid out, etc., a public highway, - - - - -                                                                                   | 520 | 540 | 540       | 540 |
| 354 | A bill to incorporate the town of Cloverdale, in Putnam county, - - - - -                                                                                                                 | 520 | 540 | 540       | 540 |
| 355 | A bill to locate a State road in Allen county, - - - - -                                                                                                                                  | 520 | 540 | 540       | 540 |
| 357 | A bill to incorporate the Frankfort B. R. R. Company, - - - - -                                                                                                                           | 520 | 540 | 540       | 540 |
| 358 | A bill to vacate a certain road in the county of Switzerland, - - - - -                                                                                                                   | 520 | 540 | 540       | 540 |
| 359 | A bill to authorize the voters of Switzerland county to determine the location of the county seat, - - - - -                                                                              | 520 | 540 | 540       | 540 |
| 360 | A bill setting apart 2 acres of ground in Marshall county for a burying ground, - - - - -                                                                                                 | 520 | 540 | 540       | 540 |
| 361 | A bill to repeal an act therein named, - - - - -                                                                                                                                          | 520 | 540 | 540       | 540 |
| 362 | A bill to amend the act approved 15th January, 1844, in relation to publication of delinquent lists in Steuben and De Kalb counties, - - - - -                                            | 520 | 540 | 540       | 540 |
| 363 | A bill to vacate the town of Mt. Pleasant, in Madison county, - - - - -                                                                                                                   | 520 | 541 | 541       | 541 |
| 364 | A bill for the relief of John Gondra, and others, - - - - -                                                                                                                               | 520 | 541 | 541       | 541 |
| 365 | A bill to amend an "act to authorize the people of the several townships in the several counties to prohibit the retailing of spirituous liquors," approved 28th January, 1847, - - - - - | 520 | 542 | 542       | 542 |
| 367 | A bill to amend an act empowering Rachel Blain, administratrix of E. Blain, deceased, formerly of Monroe county, - - - - -                                                                | 520 | 542 | 542       | 542 |
| 368 | A bill in reference to the appointment of Probate Judges of Wayne county, - - - - -                                                                                                       | 520 | 542 | 542       | 542 |
| 369 | A bill making specific appropriations, - - - - -                                                                                                                                          | 533 | 534 | 534-5-6-7 | 568 |
| 370 | A bill to provide for the manner of letting the work of the Asylum for the Deaf and Dumb, - - - - -                                                                                       | 517 | 517 | 517       | 517 |

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BILLS AND JOINT RESOLUTIONS OF THE HOUSE.—Continued.

| Number. | TITLE.                                                                                           | 656                  |                |                             |                |
|---------|--------------------------------------------------------------------------------------------------|----------------------|----------------|-----------------------------|----------------|
|         |                                                                                                  | Received from House. | First Reading. | Proceedings before Passage. | Passed Senate. |
| 373     | A bill to regulate the Clerk's fees in the probate court, Parke county,                          | 509                  | 509            | 509                         | 509            |
| 374     | A bill for the relief of land owners along the northern line of Ohio county,                     | 514                  | 514            | 514                         | 514            |
| 375     | A bill to change a portion of a certain State road therein named, in Clay county,                | 514                  | 514            | 514                         | 514            |
| 376     | A bill in relation to the probate court in Morgan county,                                        | 533                  | 533            | 533                         | 533            |
| 379     | A bill to incorporate the Delphi and Burlington Plank Road Company,                              |                      |                |                             |                |
| 381     | A bill to authorize the Auditor and school Commissioner of Morgan county to make a deed, etc.,   |                      |                |                             |                |
| 382     | A bill to prescribe the number of pounds of clover seed to the bushel in this State,             |                      |                |                             |                |
| 383     | A bill to amend an act to incorporate the town of Laporte, approved 18th February, 1839,         |                      |                |                             |                |
| 384     | A bill for the more effectual collection of delinquent taxes,                                    | 565                  | 565            | 565                         | 565            |
| 385     | A bill to change the name of James Gee and, children, to that of Ratliff,                        | 578                  | 578            | 578                         | 578            |
| 391     | A bill to extend the time for annual settlement by the Treasurer of Kosciusko county,            | 565                  | 565            | 565                         | 565            |
| 393     | A bill for the relief of securities of executors, administrators, guardians, commissioners, &c., | 569                  | 569            | 569                         | 569            |
|         |                                                                                                  | 575                  | 575            | 575                         | 575            |

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|-----|--------------------------------------------------------------------|-----|-----|-----|
| 394 | A bill to provide for the security of school funds,                | 585 | 585 | 585 |
| 395 | A joint-resolution requiring information from the War Department,  | 585 | 585 | 585 |
| 426 | A bill for the incorporation of the York Guards,                   |     |     |     |
| 429 | A bill declaring an act therein named in full force,               |     |     |     |
| 461 | A bill to incorporate the Henry county Turnpike Company,           |     |     |     |
| 494 | A bill to amend the laws relating to the practice of chancery,     |     |     |     |
| 495 | A bill to make the education of the blind of Indiana free,         |     |     |     |
| 496 | A bill to make the education of the deaf and dumb of Indiana free, |     |     |     |



